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JOURNAL

OF THE

PROCEEDINGS OF THE COUNCIL

OF THE

TERRITORY OF WASHINGTON

DURING THE

SIXTH BIENNIAL SESSION

HELD AT OLYMPIA, COMMENCING MONDAY,

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JOURNAL

OF THE

PROCEEDINGS OF THE COUNCIL

COUNCIL CHAMBER,
Monday, October 1, 1877.

The Council of the Legislative Assembly, of Washington Territory, met at the Council Chamber at the city of Olympia, on the day above written and was called to order by Charles C. Perkins, Chief Clerk of the session of the Council of 1875, according to law.

The following members elect answered to their names, in response to the calling of the roll; representing the counties hereinafter named:

Daniel Stewart—Walla Walla.

Elisha Ping—Columbia, Whitman and Stevens.

M. R. Hathaway—Clarke, Skamania, Klickitat and Yakima.

C. A. Reed—Cowlitz, Pacific and Wahkiakum.

Thos. M. Reed—Thurston and Lewis.

Jacob Hoover—Pierce, Mason and Chehalis.

C. H. Hanford—King.

E. C. Ferguson—Kitsap, Snohomish and Whatcom.

Jos. A. Kuhn—Jefferson, Island, Clallam and San Juan.

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The oath of office was then administered to the members elect by the Secretary of the Territory, Hon. N. H. Owings.

Mr. Hoover moved the Council do now proceed to the election of a President.

Mr. Reed, of Thurston, moved to elect a *Temporary President.*

The motion of Mr. Reed prevailed.

The Clerk presiding announced that nominations were in order.

Mr. Ferguson nominated Hon. C. H. Hanford, of King.

Mr. Kuhn nominated Hon. Jacob Hoover, of Pierce.

Whole number of votes cast 9; necessary to a choice 5.

Those voting for Mr. Hanford, were:

Messrs. Ferguson, Hanford, Hathaway, Reed, of Thurston, and Reed, of Pacific.—5.

For Mr. Kuhn:

Mr. Hoover.—1.

For Mr. Hoover:

Messrs. Kuhn, Ping and Stewart.—3.

Mr. Hanford was declared elected President and took the chair for the temporary organization.

The next business being the election of a *Temporary Chief Clerk*, Hoover nominated Thos. B. Merry, of King.

Mr. Reed of Thurston, nominated Thomas P. Woodward.

Those voting for Merry, were:

Messrs. Hanford, Kuhn, Hoover, Ping and Stewart.—5.

For Woodward:

Messrs. Ferguson, Hathaway, Reed, of Thurston and Reed, of Pacific.—4.

Mr. Merry having received a majority of all the votes cast was duly elected and took his place at the desk.

The nomination of temporary *Assistant Clerk* being in order:

Mr. Hathaway nominated J. T. Berry, of Lewis county.

Hoover nominated S. W. Hovey, of Kitsap county.

Those voting for Mr. Berry, were:

Messrs. Ferguson, Hanford, Hathaway, Reed, of Thurston, and Reed, of Pacific.—5.

Those voting for Mr. Hovey, were:

Messrs. Hoover, Kuhn, Ping and Stewart.—4.

Mr. Berry was declared elected.

The nomination of *Sergeant-at-Arms* being next in order, Mr. Reed, of Pacific, nominated I. V. Mossman.

Mr. Ping nominated J. Cal. McFadden.

Those voting for Mossman, were:

Messrs. Ferguson, Hanford, Hathaway, Reed, of Thurston, and Reed, of Pacific.—5.

Those voting for McFadden, were:

Messrs. Hoover, Kuhn, Ping and Stewart.—4.

Mossman was declared elected.

The nomination of a *Door-keeper* being in order, Mr. Ferguson nominated Miss Fannie Baldwin.

Mr. Kuhn nominated F. W. Hastings.

Those voting for Miss Baldwin, were:

Messrs. Ferguson, Hanford, Hathaway, Reed, of Thurston and Reed, of Pacific.—5.

Those voting for Hastings, were:

Messrs. Hoover, Kuhn, Ping and Stewart.—4.

Miss Baldwin was declared elected.

The nomination of *Messenger* being in order, Mr. Reed, of Thurston, nominated Miss M. J. Hathaway, of Clarke county.

Mr. Hoover nominated Miss Anna Knighton.

Those voting for Miss Hathaway, were:

Messrs. Ferguson, Hanford, Hathaway, Reed, of Thurston, and Reed of Pacific.—5.

Those voting for Miss Knighton, were:

Messrs. Hoover, Kuhn, Ping and Stewart.—4.

Miss Hathaway was declared elected.

The nomination of *Enrolling Clerk* being in order, Mr. Hoover nominated Miss Nellie Parker, of Thurston.

Mr. Hathaway nominated Miss Clara Myers of Jefferson.

Those voting for Miss Myers were:

Messrs. Ferguson, Hanford, Hathaway, Kuhn, Reed, of Thurston, and Reed, of Pacific.—6.

Those voting for Miss Parker were:

Messrs. Hoover, Ping and Stewart.—3.

Miss Myers was declared elected.

The nomination of *Engrossing Clerk* being in order, Mr. Reed, of Pacific, nominated Miss A. Knighton, of Thurston.

No other candidate being named, Miss Knighton was elected Engrossing Clerk by acclamation,

The nomination of *Watchman* being in order, Mr. Kuhn nominated F. W. Hastings, of Jefferson.

Mr. Hoover moved the officers now be sworn in.

Mr. Stewart moved that they be considered permanent.

The motion was lost.

Mr. Ferguson moved that a committee on Credentials be appointed.

Mr. Hoover opposed the motion on the ground that no contest existed in any of the several Council Districts here represented.

The motion was adopted and the chair appointed as such committee, Messrs. Ferguson, Hoover and Hathaway.

Mr. Hoover moved a recess of thirty minutes, to examine credentials and report.

Mr. Hathaway moved to amend by striking out thirty minutes and inserting two hours.

The amendment prevailed.

The motion was put and at 12:20 M, the Council adjourned for two hours.

At 2:25 P. M., the Council was called to order by the temporary President and the roll was called.

Present—Messrs. Ferguson, Hanford, Hathaway, Hoover, Kuhn, Ping, Reed, of Thurston, Reed, of Pacific, and Stewart. —9.

Mr. Ferguson, from the Committee on Credentials reported the following:

MR. PRESIDENT—

Your Committee to whom was referred the matter of the Credentials, of those claiming seats in the Legislative Council of Washington Territory, would respectfully report the following persons entitled to seats in said Legislative body:

Daniel Stewart,—Walla Walla county.

Elisha Ping—Columbia, Whitman and Stevens.

M. R. Hathaway—Clarke, Skamania, Klickitat and Yakima.

C. A. Reed—Cowlitz, Pacific and Wahkiakum.

Thos. M. Reed—Thurston and Lewis.

Jacob Hoover—Pierce, Mason and Chehalis.

C. H. Hanford—King.

E. C. Ferguson—Kitsap, Snohomish and Whatcom.
J. A. Kuhn—Jefferson, Clallam, Island and San Juan.

E. C. FERGUSON,
JACOB HOOVER,
M. R. HATHAWAY,
Committee.

On motion of Mr. Hoover:

The report was adopted.

Mr. Ferguson moved the Council do now adjourn till Tuesday, October 2d, at 11 A. M.

The motion was put and carried without dissent and the Council adjourned till Tuesday at 11 A. M.

THOMAS B. MERRY,
Chief Clerk, pro tem.

Approved Oct. 2, 1877, by,
C. H. HANFORD,
Temporary President.

COUNCIL CHAMBER,
Tuesday, October 2, 1877.

The Council met at 11 A. M., the temporary president Mr. Hanford, in the chair.

The roll was called and the following members found to be present:

Messrs. Ferguson, Hanford, Hathaway, Hoover, Kuhn, Ping, Reed, of Thurston, Reed, of Pacific, and Stewart.—9.

The Journal of the previous day was read and approved.

Mr. Hoover moved the adoption of the last session's rules until further orders.

Motion carried.

Mr. Reed, of Thurston, moved to invite the reporters and members of the Press within the bar of the Council.

Motion crrried.

Mr. Hoover moved that the Council do now proceed to elect permanent officers.

Motion carried.

Mr. Hoover moved to elect the officers by ballot.

Mr Hathaway moved to amend by voting viva voce.

The amendment was lost.

The main question of electing was then put and carried,

Nominations for President being in order:

Mr. Ferguson nominated Mr. Hathaway.

Mr. Hathaway nominated Mr. Ferguson.

Mr. Reed, of Pacific, nominated Mr. Reed, of Thurston.

Mr. Kuhn nominated Mr. Hoover.

The President appointed Messrs. Reed and Stewart as tellers to canvass the ballot.

Whole number of votes cast 9; necessary to a choice 5.

First ballot.

For Mr. Hoover, 2 votes; Reed, of Pacific, 2; Ferguson 3; Kuhn 1 and Blank 1—9.

Mr. Hoover withdrew.

Second ballot.

For Mr. Reed, of Pacific, 2 votes; for Mr. Ferguson 3; for Mr. Reed of Thurston, 4—9

Third ballot.

For Mr. Ferguson, 2 votes; for Mr. Reed, of Thurston, 7 —9 votes.

The President pro tem declared that Mr. Reed, having received a majority of all the votes cast, was duly elected permanent President.

Mr. Hoover moved that a committee be appointed to escort the President elect to the chair.

Motion carried.

The President pro tem appointed Messrs. Hoover and Ferguson.

Mr. Hanford welcomed the President, who addressed the Council.

Mr. Hathaway moved to adjourn.

Motion lost.

Mr. Hoover moved that the temporary Chief Clerk and Assistant Clerk be declared permanent.

Division was called for and the President declared the vote to be lost on a tie vote; 4 against 4.

Mr. Hanford moved a recess till 2 o'clock.

Mr. Hoover demanded the ayes and noes.

The roll was called:

Those voting "aye" were:

Messrs. Hanford, Hathaway, Reed, of Pacific, and Mr. President.—4.

Those voting "no" were:

Messrs. Ferguson, Hoover, Kuhn, Ping and Stewart.—5.

Mr. Kuhn moved the Council proceed to elect a Chief Clerk.

Motion carried.

Mr. Stewart moved to elect by ballot.

Mr. Hathaway moved to amend by voting viva voce.

Division was demanded; 4 voting against and 4 in favor of the amendment.

The President declared the amendment lost.

The motion to vote by ballot was then put and carried.

The President appointed Messrs. Hathaway and Reed of Pacific, as tellers.

Mr. Hanford nominated for Chief Clerk, Thos. B. Merry, of King.

Mr. Hathaway nominated Thos. P. Woodward, of Thurston.

A ballot was taken with the following result:

Merry received 5 votes, Woodward 3, and Blank 1.

Whole number cast 9; necessary to a choice 5.

Thos. B. Merry having received a majority of the votes cast, wos declared elected Chief Clerk of the Council.

The nominations for Assistant Clerk being in order:

Mr. Hoover nominated J. T. Berry of Lewis.

Mr. Hanford moved to adjourn.

Hr. Hathaway demanded the ayes and noes.

The roll was called with the following result:

Those voting no were Messrs. Hoover, Kuhn, Ping, Stewart and Mr. President.—5.

Those voting aye were Messrs. Ferguson, Hanford, Hathaway and Reed of Pacific.—4.

The President declared the motion lost.

The question being the election of Assistant Clerk, a division was called for and there being a tie vote the President voted "aye"and the motion was carried.

Nominations of Assistant Clerk being in order, J. T. Berry was elected by a unanimous vote.

The election of Sergeant-at-Arms being in order:

Mr. Reed of Pacific nominated I. V. Mossman, who was elected by a unanimous vote.

The election of Door Keeper being in order:

Mr. Kuhn nominated F. W. Hastings, who was elected by a unanimous vote.

The election of Messenger being next in order:

Mr. Hoover nominated Miss M. J. Hathaway, who was elected by unanimous vote.

The election of Enrolling Clerk being next in order:

Mr. Hoover nominated Miss Fannie Baldwin, and she was elected by unanimous vote.

The election of Engrossing Clerk being in order:

Mr. Reed, of Pacific, nominated Miss Anna Knighton, who was elected by a unanimous vote.

The election of Watchman being next in order:

Mr. Kuhn nominated Edward Harmon, who was elected by a unanimous vote.

The election was declared complete, and

Mr. Hanford moved that the Secretary of the Territory be invited within the bar to swear in the officers.

Motion carried.

Hon. N, H. Owings, Territorial Secretary, then appeared within the bar and swore in severally the President, Members of the Council and officers, administering to them the oath in such cases made and provided.

Mr. Ferguson moved a committee of three (3) be appointed to wait upon the Governor of the Territory and inform him of the organization of the Council.

Motion carried.

Mr. Hathaway inquired if the House had been notified also ?

The President replied it had not, not being in session.

Mr. Hathaway thought it the work of a Joint Committee to wait upon the Governor, therefore

Mr. Hanford, moved a reconsideration of the vote by which the motion was carried.

The requisite number voting "aye", the vote was reconsidered.

Mr. Hanford moved the Clerk be ordered to notify the House of the organization of the Council.

Motion carried.

Mr. Ferguson submitted

Council Resolution No. 1, concurrent:

Resolved, By the Council, the House concurring, that a Committee of two (2) be appointed by the President to confer with a like Committe chosen by the House, to wait upon the Governor and inform him that both Houses are now organized and ready to receive any communication he may be pleased to make.

The question being the suspension of the rules, the rules were suspended and the resolution read second time on on motion of Mr. Hanford.

On motion of Mr. Ferguson

The rules were suspended, the resolution read third time and adopted.

Mr. Hoover offered Council Resolution No. 1. *Resolved*, That the resident Clergy be invited to attend daily sessions of the Council and open the morning sessions with prayer.

The resolution was adopted.

Mr. Hoover moved the Council do now take a recess till 2 P. M.

The motion was carried and at 12:10 M., the Council took recess till 2 P. M.

The Council was called to order again at 2 P. M., the President in the chair.

The roll was called and the following members found to be present:

Messrs. Ferguson, Hanford, Hathaway, Hoover, Kuhn, Ping, Reed, and Mr. President.

Mr. Hoover inquired for the order of business.

The President read the order of business for information.

Mr. Hoover offered Council Joint Resolution No. 2.—*Resolved*, By the Council the House of Representatives concurring, that a special committee of two on part of the Council and three on the part of the House, be appointed to make arrangements and contract for the printing required to be done by the Territory of Washington at the sixth biennial session.

The resolution being read, Mr. Ferguson moved a suspension of the rules.

The motion was carried, the rules suspended and the resolution read second time,

Mr Hoover moved further suspension of the rules.

Motion carried.

The rules being suspended, the resolution was read a third time and adopted, ayes—9.,noes—0.

Mr. Hanford then moved the Chief Clerk be instructed to transmit the resolution at once to the House.

Motion carried.

The Sergeant at Arms presented a communication from the Territorial Secretary announcing the appointment of C. B. Bagley, as Territorial Printer, which was read for information.

Mr Hanford moved the communication be placed on file.

Motion carried.

Mr. Hanford moved the Secretary of the Territory be invited within the bar of the Council, to impart information relative to appropriation by Congress for incidental Legislative expenses.

Hon. N. H. Owings appeared within the bar and made a statement of the condition of the Legislative Contingent Fund.

INTRODUCTION OF BILLS.

Mr. Hoover introduced:

C. B. No. 1—Entitled an "Act to defray the Incidental Ex-expenses of the 6th Biennial Session of the Legislative Assembly of the Territory of Washington," by leave,

The bill being read first time, the rules were suspended on motion of Mr. Ferguson, and the bill read second time.

The Sergeant-at-Arms announced a message from the House, which was read by R. G. O'Brien, Chief Clerk of the House.

HOUSE OF REPRESENTATIVES,
October 2, 1877.

MR. PRESIDENT—

I am instructed by the House to inform the Council that the House is now permanently organized by the election of the following officers:

R. G. Newland, Speaker; R. G. O'Brien, Chief Clerk; Wm. Hughes, Assistant Clerk; Miss C. A. Myers, Enrolling Clerk; Miss Stella Galliher, Engrossing Clerk; L. P. Berry, Sergeant-at-Arms; L. G. Abbott, Door Keeper; Wilson, Messenger; Hector McKay, Watchman, and is now ready to proceed to business.

R. G. O'BRIEN,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
October 2, 1877.

MR. PRESIDENT—

I am instructed by the House to inform you that the House has passed

C. J. R. No. 1.—Resolution for the appointment of a Joint Committee on the part of the Council and House, to wait upon the Governor and inform him that the Legislative Assemby is now organized and ready to proceed to business,

And herewith return the same, and respectfully inform you that the House has appointed a committee of three composed of

Messrs. McDonald, Daniels and Percival, as a Joint Committee on the part of the House.

R. G. O'BRIEN,
Chief Clerk.

The President announced the appointment of Messrs. Ferguson and Stewart as such committee, on the part of the Council.

Mr. Hanford moved to refer the bill then pending to a special committee, the standing committees not having been yet announced.

The motion was carried and the President appointed Messrs. Ferguson, Hanford and Reed as such committee.

Mr. Stewart introduced by leave, without previous notice,

C. B. No. 2.—An Act changing the time of holding terms of the district court at Walla Walla and Yakima City.

Which was read first time and

Mr. Stewart moved the suspension of the rules that the bill be read a second time by title.

Motion carried.

The bill being read a second time,

Mr. Hathaway moved it be referred to a committee of three.

Motion carried.

The President appointed as such committee, Messrs. Hathaway, Ping and Kuhn.

Mr. Hoover moved the Council do now adjourn until Wednesday, Oct. 3d., at 1:30 P. M., which was carried and at 2:30 P. M., the Council so adjourned.

T. B. MERRY,
Chief Clerk

Approved Oct. 3d., 1877.
T. M. REED,
President.

COUNCIL CHAMBER,
Wednesday, October 3, 1877.

The Council met at 1:30 P. M., pursuant to adjournment.

The roll was called and the following members found to be present:

Messrs. Ferguson, Hanford, Hathaway, Hoover, Kuhn, Ping, Reed, Stewart and Mr. President.—9.

The Journal of the previous day was read, amended and approved as amended.

The President then announced the appointment of the following standing committees, to wit:

ELECTIONS.

Messrs. Hathaway, Ping and Hanford

FEDERAL RELATIONS.

Messrs. Ferguson, Kuhn and Reed.

WAYS AND MEANS.

Messrs. Hoover, Reed and Hathaway.

EDUCATION.

Messrs. Hathaway, Hoover and Hanford.

JUDICIARY.

Messrs. Hanford, Hoover and Kuhn.

MILITARY AFFAIRS.

Messrs. Stewart, Ferguson and Reed.

ROADS AND HIGHWAYS.

Messrs. Reed, Hathaway and Stewart.

ENGROSSED BILLS.

Messrs. Kuhn, Ferguson and Ping.

ENROLLED BILLS.

Messrs. Hanford, Stewart and Ferguson.

INDIAN AFFAIRS.

Messrs. Ferguson, Kuhn and Hoover.

COMMERCE.

Messrs. Kuhn, Ferguson and Reed.

PRINTING.

Messrs. Hoover, Reed and Ping.

CORPORATIONS.

Messrs. Hanford, Hoover and Hathaway.

COUNTIES.

Messrs. Reed, Ping and Stewart.

AGRICULTURE.

Messrs. Stewart, Hathaway and Ferguson.

CLAIMS.

Messrs. Hathaway, Ping and Kuhn.

MEMORIALS.

Messrs. Ferguson, Stewart and Reed.

PUBLIC BUILDINGS AND GROUNDS.

Messrs. Hoover, Hanford and Stewart.

TERRITORIAL LIBRARY.

Messrs. Kuhn, Hanford and Hoover.

MINES AND MINING INTERESTS.

Messrs. Ping, Hathaway and Hanford.

Mr. Ferguson offered

C. J. R. No. 3.—*Resolved*, by the Council, the House concurring, that they meet in Joint Convention at 2 o'clock in the Hall of the House, to receive the Governor's Message.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,
October 3, 1877.

MR. PRESIDENT—

I am instructed by the House to inform the Council of the introduction and passage of

H. J. R. No. —1, relative to the assembling of the House and Council in Joint Convention to receive the Governor's Message; and to inform you that the House are now ready to receive the Council.

R. G. O'BRIEN,
Chief Clerk.

Mr. Ferguson moved the Council concur in H. J. R. No. 1.

Motion carried.

Mr. Ferguson moved that C. J. R. No. 3, offered by Mr. Ferguson, lie on the table, its action being forestalled by H. J. R. No. 1.

Motion carried.

Mr. Ferguson, from the Joint Committee appointed to wait upon the Governor, submitted the following report:

MR. PRESIDENT—

Your Committee appointed to act in conjunction with a Committee on the part of the House to wait upon the Gover-

nor and inform him that the Legislative Assembly in now duly organized and ready to receive any communication he might see proper to make, beg leave to report that they have performed the duty assigned them. His Excellency informed your Committee that he would be ready to deliver a Message at two (2) o'clock this afternoon.

E. C. FERGUSON,
DANIEL STEWART.

Mr. Hanford moved the Council do now proceed to meet the House in Joint Convention,

Motion carried, and the Council rose and proceeded to the House of Representatives.

JOINT CONVENTION.

Pursuant to resolution,

The Joint Convention met in the House of Representatives at 2 o'clock P. M.

President T. M. Reed, of the Council presiding.

Mr. Daniels moved a Committee of five be appointed to receive the Governor.

Motion carried.

The President appointed Messrs. Ferguson and Stewart on part of the Council, and Messrs. Daniels, Ringer and Percival on the part of the House, to escort the Governor to the Convention Hall.

His Excellency, Hon. E. P. Ferry, was then introduced to the Joint Convention by the President, and read his Biennial Message; after which

The President declared the Joint Convention adjourned.

T. B. MERRY,
Chief Clerk of Council.
R. G. O'BRIEN,
Chief Clerk of House.

At 2½ P. M., the Council re-assembled in the Council Chamber,

The roll was called,

Present—Messrs. Ferguson, Hanford, Hathaway, Hoover, Kuhn, Ping, Reed, Stewart and Mr. President—9.

Mr. Hathaway, from select Committee to whom was referred

C. B. No. 2.—Relative to changing the time of holding District Court in Walla Walla and Yakima City,

Asked further time to report.

The request was granted.

Mr. Hanford, from Select Committee to whom was referred

C. B. No. 1—An act to defray the Incidental expenses of the 6th Biennial Session of the Legislative Assembly of Washington Territory, submitted the following report:

To the President and Members of the Council:

The following members of your Committee, to whom was referred

C. B. No. 1,—An act to defray the Incidental Expenses of the 6th Biennial Session of the Legislature of Washington Territory, report

That after due consideration, we respectfully recommend the passage of the bill herewith submitted as a substitute for said C. B. No. 1.

C. H. HANFORD,
C. A. REED.
Committee.

Mr. Kuhn moved the report be laid on the table.

Motion carried.

Mr. Ferguson moved a Committee be appointed to carry out

C. R. No. 1.—Relative to prayer in the Council Chamber.

Motion carried.

The President appointed as such Committee, Messrs. Ferguson and Hoover.

Mr. Hanford introduced a resolution requesting the President to revise the Rules of Order, for the Council, and moved a suspension of the rules that the resolution be adopted at once.

Motion carried.

The resolution was adopted.

Mr. Ferguson moved to take from the table

C. B. No. 1.—Relative to defraying the Incidental Expenses of the Legislature

Motion carried.

Mr. Ferguson moved the report of the Special Committee on

C. B. No. 1.—Relative to defraying the Incidental Expenses of the Legislature,

Be received and the Committee be discharged.

Motion carried.

Mr. Hoover moved the adoption of the substitute.

Motion carried.

Mr. Hanford moved the substitute be made special order for to-morrow.

Motion carried.

INTRODUCTION OF BILLS.

Mr. Hanford introduced

C. B. No. 3.—An Act to provide for equalization of taxes in King county for the year 1877.

The bill being read first time,

Mr. Ferguson moved that the rules be suspended and the bill read second time by title.

Motion carried.

The rules being suspended, the bill was read by title.

Mr. Hanford moved

The rules be suspended, that the bill might be read a third time, considered engrossed and placed on its passage.

Mr. Ferguson objected, but the motion prevailed and rules suspended.

The question being the passage of the bill, the roll was called with the following result:

Ayes—Messrs. Ferguson, Hanford, Hathaway, Hoover, Kuhn, Ping, Reed, Stewart and Mr. President.—9.

The President declared the bill passed and the title approved.

Mr. Hanford introduced by permission,

C. B. No. 4.—An Act entitled An Act to repeal An Act entitled An Act to provide for the election of County Commissioners and County Assessors of King county, Washington Territory.

The bill being read first time,

Mr. Hathaway moved suspension of the rules that the bill be read second time.

Motion carried.

Mr. Ferguson moved that hereafter all bills be read second time by title without suspension of the rules, unless objection be made.

Motion carried.

Mr. Hathaway moved the rules be suspended, the bill considered engrossed, read third time and passed.

Motion carried.

The rules being suspended, the bill was passed by the following vote:

Ayes—Messrs. Ferguson, Hanford, Hathaway, Hoover, Kuhn, Ping, Reed, Stewart and Mr. President.—9.

The President declared the bill passed and the title approved.

Mr. Ferguson moved to adjourn till 10 o'clock to-morrow.

Motion carried.

And at 3:55 P. M., the Council adjourned till Thursday morning at 10 o'clock A. M.

T. B. MERRY,
Chief Clerk.

Approved, Oct. 4, 1877,
T. M. REED,
President.

COUNCIL CHAMBER,
Thursday, October 4, 1877.

The Council met at 10 o'clock A. M., pursuant to adjournment.

The President in the chair.

The roll was called and the following members answered present:

Messrs. Ferguson, Hanford, Hathaway, Hoover, Kuhn, Ping, Reed, Stewart and Mr President.—9.

Prayer was offered by Rev. D. N. Utter.

The Journal of yesterday was read and approved.

The President announced the following addition to the Standing Committees of the Council:

Rules and Orders—Ping, Reed and Kuhn.

Mr. Hanford moved that the Standing Rule be amended so as to allow the Chief Clerk to send messages to the House by the Assistant Clerk, when he so desires.

Mr. Ferguson objecting,

The motion was withdrawn.

Mr. Hanford, from Select Committee on

C. B. No. 1.—An act to defray the Incidental Expenses of the Legislature, submitted the following report:

To the President and Members of the Council:

The following Committee, to whom was referred

C. B. No. 1.—Relative to defraying the Incidental Expenses of the Legislature, respectfully report,

That after due consideration, we respectfully recommend the passage of the bill herewith submitted, as a substitute for said C. B. No. 1.

C. H. HANFORD,
C. A. REED.
Committee.

Mr. Hathaway from Select Committee on

C. B. No. 2,—Relative to changing the time of holding District Court at Walla Walla and Yakima Cities, reported.

MR. PRESIDENT—

The Special Committee to whom was referred

C. B. No. 2.—Relative to changing the time of holding court in Walla Walla and Yakima Cities, have had the same under consideration,

And instruct me to report a substitute, which is herewith submitted.

M. R. HATHAWAY,
Chairman.

The President, to whom was referred the revision of the Rules of Orders reported and recommended amendments to Rules 16 and 18.

Mr. Hoover introduced,

C. J. R. No. 4.—To appoint a Select Committee to examine and report upon the incorporation acts of the several towns and cities in the Territory of Washington, which was

Read first and second times.

Mr. Ferguson moved the rules be suspended, and the resolution read a third time.

Motion carried.

The rules being suspended, and the resolution adopted, the following members voting aye:

Messrs. Ferguson, Hanford, Hathaway, Hoover, Kuhn, Ping, Reed, Stewart and Mr. President.—9.

The President appointed Messrs. Hoover and Ferguson as such Committee.

Reports being under consideration, the Clerk read report on

C. B. No. 1.—An act to defray the Incidental expenses of the Legislature.

MESSAGES FROM THE HOUSE.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,
October 4, 1877.

MR. PRESIDENT—

I am instructed by the House to inform the Council that there has been introduced and passed by the House,

H. J. R. No. 2:—Relative to the printing of one thousand copies of the Governor's Message, for the use of the Board of Immigration,

And herewith transmit the same, requesting concurrent action.

R. G. O'BRIEN,
Chief Clerk.

Mr. Hathaway presented the report of the Committee on

C. B. No. 2.—An Act changing the time of holding terms of the district court at Walla Walla and Yakima City.

Now moved it be taken up.

There being a substitute reported by the Committee, Mr. Hathaway moved the adoption of the substitute.

Motion carried.

The substitute being adopted and the bill being on its second reading,

Mr. Hathaway submitted an amendment and moved its adoption.

The amendment was lost.

Mr. Kuhn submitted an amendment, which was adopted.

Mr. Ferguson moved the bill be read third time.

Motion carried.

The bill being placed on its passage, the ayes and noes were called, as follows:

Ayes—Messrs. Ferguson, Hanford, Hoover, Kuhn, Ping, Reed, Stewart and Mr. President.—8.

Noes—Mr. Hathaway.—1.

The President declared the bill passed and title approved.

Mr. Hoover moved to suspend the rules and take up the order of the day.

Motion carried.

ORDER OF THE DAY.

C. S. B. 1—Entitled an "Act to defray the Incidental Expenses of the 6th Biennial Session of the Legislative Assembly of the Territory of Washington,"

Was then read second time.

Mr. Hoover submitted an amendment to be inserted after the enacting clause.

Mr. Ferguson moved to amend the amendment by striking out the word "four" wherever it occurs and insert the word "three."

Division being demanded, the motion was lost.

The question being on the amendment of Mr. Hoover.

(Mr. Ferguson in the chair.)

Division was demanded, with a result of 5 ayes to 4 nays,

And the amendment was adopted.

The bill being on second reading,

Mr. Ferguson moved to strike out "the above mentioned fund shall be known as the incidental fund and" also insert the words "said warrant" in place of "a warrant" in Section 3, line 3; also strike out "the incidental fund" in lines 5 and 6.

Motion carried.

Mr. Hoover moved the rules be suspended, that the bill be read a third time and considered engrossed.

Motion carried.

The bill being on its passage,

The ayes and noes were called with the following result:

Ayes—Messrs. Ferguson, Hathaway, Hoover, Kuhn, Ping and Stewart.—6.

Noes—Messrs. Hanford, Reed and Mr. President.—3.

The President declared the bill passed and title adopted as amended, to read:

An Act entitled an act to defray the Incidental Expenses of the 6th Biennial Session of the Legislative Assembly of the Territory of Washington.

The report of the President on revision of the rules was,

On motion of Mr. Hoover,

Referred to the Committee on Rules and Orders.

On motion of Mr. Hoover,

The Governor's Message was made the order of the day for to-morrow at 11 o'clock.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,
October 4, 1877.

MR. PRESIDENT—

I am instructed by the House to inform the Council that the House has passed

Substitute for,

C. B. 2.—An act changing the time of holding the District Court at Walla Walla; also,

C. B. 3.—An act to provide for Equalization of Taxes in King County, for the year 1877.

C. B. 4.—An Act entitled "An Act" to repeal An Act entitled "An Act" to provide for the election of County Commissioners and Assessors of King county, Washington Territory.

C. J. R. 2.—Relative to Joint Printing Committee,

And to inform you that the Speaker has appointed the Standing Committee on Printing of the House, consisting of Messrs. Gregory, Whitney and Long, as such committee.

Also

Of the introduction and passage of

H. J. R. 4.—Relative to the printing of four hundred additional copies of that part of the Governor's Message relating to the Northern Pacific Railroad.

And herewith transmit the same for concurrent action on the part of the Council.

R. G. O'BRIEN,
Chief Clerk.

The House messages were taken up, and

H. J. R. 4.—Relative to the printing of four hundred additional copies of that part of the Governor's message relating to the N. P. R. R.

Read first and second time.

On motion of Mr. Ferguson

Amended by striking out 500 and inserting 1,000.

Mr. Hoover moved the rules be suspended and the resolution read third time.

Motion carried.

The question being on the adoption of the Resolution, the ayes and noes were called with the following result:

Ayes—Messrs. Ferguson, Hanford, Hathaway, Hoover, Kuhn, Ping, Reed, Stewart and Mr. President.—9.

H. J. R. 2.—Relative to the printing of one thousand copies of the Governor's message for the use of the Board of Immigration.

Was then taken up and on motion of Mr Hoover, was amended by adding

"And 500 copies for the members of the Council."

Mr. Hoover moved suspension of the rules till the resolution be read third time, and placed on its passage.

Motion carried.

The resolution was read third time and adopted by the following vote:

Ayes—Messrs. Ferguson, Hanford, Hathaway, Hoover, Kuhn, Ping, Reed, Stewart and Mr. President.—9.

At 12:55 P. M. on motion of Mr. Hoover, the Council adjourned till Friday, October 5th, at 10 A. M.

T. B. MERRY,
Chief Clerk

Approved Oct. 4, 1877,
T. M. REED,
President.

COUNCIL CHAMBER,
Friday, October 5, 1877.

The Council met at 10 A. M.

The President in the chair.

The roll was called and the following members found to be present:

Messrs. Ferguson, Hanford, Hathaway, Hoover, Kuhn, Ping, Reed, Stewart and Mr. President—9.

Prayer was offered by Rev. D. N. Utter.

Mr. Hanford, by leave introduced,

C. J. R. 5.—Relative to appointment of a Committee on Mileage,

Read first and second times.

Mr. Ferguson moved the rules be suspended and resolution read third time.

Motion carried.

The resolution being read third time and placed on its passage,

The roll was called with the following result:

Ayes.—Messrs. Ferguson, Hanford, Hathaway, Hoover, Kuhn, Ping, Reed, Stewart and Mr. President.—9.

Mr. Hanford introduced

C. M. 1.—Relative to Northern Pacific Railroad Lands; also,

C. M. 2.—Relative to granting Lands to Seattle & Walla Walla Railroad, alleged to be forfeited by the Northern Pacific Railroad Company.

Which were read first and second times and referred to the Committee on Memorials, on motion of Mr. Hathaway.

Mr. Kuhn, from the Committee on Engrossed Bills, reported,

C. B. 1.—Relative to defraying the Incidental Expenses of the Legislature, as being correctly engrossed.

Mr. Ping, from the Committee on Rules,

Reported amendments to rules 16 and 18, and moved adoption.

The report, carrying with it Rules and Orders for the session was adopted.

Mr. Hoover moved that fifty (50) copies be printed.

Motion carried.

Mr. Hanford moved for conference of the Committee to confer with a like Committee on Rules, to report Joint Rules for both Houses.

Motion carried.

Mr. Reed, of Pacific, introduced

C. B. 5.—An act to change the name of Andrew Wilson to that of Olof Anderson,

Which was read first and second time, and

On motion of Mr. Hanford, referred to the committee on Federal Relations.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,
October 5, 1877.

MR. PRESIDENT—

I am instructed by the House to inform the Council that there has been introduced in the House, H. B. 1, H. B. 2, H.

B. 3, H. B. 4, H. B. 5, H. B. 6, H. B. 7, and H. B. 8, and the passage of H. B. 4, changing the name of Henrich Ernest August Perschein, to that of Harry Benson.

R. G. O'BRIEN,
Chief Clerk.

Mr. Hanford, from Committee on Enrolled Bills, reported

C. B. No. 2.—Relative to changing the time of holding District Court in Walla Walla and Yakima City.

As having been correctly enrolled.

Mr. Hoover introduced, by leave,

C. B. 6.—An act to amend an act, entitled an act, relating to Mortgages on Personal Property, made and approved November 12, 1875.

Which was read first and second time, and

On motion of Mr. Ferguson, referred to Judiciary Committee.

Mr. Reed, of Thurston, presented the following communication:

OFFICE OF THE SUPT. OF COMMON SCHOOLS,
OLYMPIA, *October* 11, 1877.

TO THE HONORABLE LEGISLATIVE ASSEMBLY OF WASHINGTON TERRITORY.

GENTLEMEN—I have the honor herewith to present my Second Biennial Report for the year 1876 and 1877, showing the present condition of our Schools, the deficiencies in the present School Law, and the changes proposed to remedy the defects.

Yours Respectfully,
JOHN P. JUDSON,
Territorial Supt. of Schools.

Mr. Hoover moved the report be referred to the Committee on Printing with instructions to print at the earliest opportunity.

Motion carried.

Mr. Kuhn moved that the Assistant Clerk carry the Council Messages to the House whenever requested to do so by the Chief Clerk.

Division being demanded,

The motion was adopted by a vote of
Ayes—5. Noes—4.

The hour (11 A. M.) having arrived for the order of the day,

Mr. Ferguson moved the Council go into Committee of the whole, to consider the Governor's Message.

Motion carried.

The President appointed Mr. Ferguson as Chairman of the Committee.

Mr. Hoover moved the Message be considered by sections.

Motion carried.

Finances.—Mr. Hanford that that part of the Message which relates to Finances be referred to the Committee on Ways and Means.

Motion carried.

Agriculture.—On motion, of Mr. Hoover,

Referred to Committee on Agriculture.

Fisheries.—On motion of Mr. Hanford,

Referred to Committee on Commerce.

Coal and Lumber.—On motion of Mr. Kuhn.

Referred to Committee on Mining and Mining Interests.

Board of Equalization.—On motion of Mr. Hathaway,

Referred to a Select Committee of Three.

The Chairman appointed Messrs. Reed, of Thurston, Stewart and Kuhn.

Territorial Library.—On motion of Mr. Reed, of Thurston,

Referred to Standing Committee on Territorial Library.

Penitentiary.—On motion of Mr. Hanford.

Referred to Committee on Public Grounds and Buildings.

Pilot Commissioners.—Mr. Reed, of Thurston, moved its reference to Committee on Commerce.

Mr. Hanford moved to amend by reference to a Select Committee, consisting of

Messrs. Reed, of Pacific, Hathaway and Kuhn.

Motion carried and so referred.

State Government.—Mr. Hoover moved its reference to Committee on Federal Relations.

Mr. Ping moved to amend by referring to Committee on Judiciary.

The amendment was lost and the original motion prevailed.

Population.—On motion of Mr. Hoover.

Referred to Committee on Engrossed Bills.

Board of Immigration.—On motion of Mr. Hathaway,

Referred to Committee on Engrossed Bills.

Insane Asylum.—On motion of Mr. Reed, of Thurston, referred to Committee on Public Grounds and Buildings.

Revision of the Laws.—On motion of Mr. Hathaway, referred to Committee on Judiciary.

Northern Pacific Railroad.—On motion of Mr. Hanford referred to the Committee on Memorials.

The consideration of the Message by sections being finished Mr. Hathaway moved that the committee rise and report.

Motion carried.

Mr. President having resumed the chair, Mr. Ferguson submitted the following report:

MR. PRESIDENT—

Your Committee of the Whole, having had under consideration the Biennial Message of his Excellency, the Governor, beg leave to report that they have considered the same and referred each section to an appropriate Committee.

E. C. FERGUSON,
Chairman.

The report was adopted.

Mr. Kuhn introduced

C. J. R. 6.—Requesting Hon. Elwood Evans to deliver to the Sixth Biennial Legislative Assembly of Washington Territory, his Centennial Address.

Which was read first and second time.

Mr. Hoover moved that the resolution be read a third time, considered engrossed and placed on its passage.

Motion carried.

The roll was called with the following result:

Ayes—Messrs. Ferguson, Hanford, Hathaway, Hoover, Kuhn, Ping, Stewart, Reed and Mr. President.—9.

The chair declared the resolution adopted, after which

On motion of Mr. Hoover,

At 11:35 A. M., the Council adjourned for recess till 2 o'clock P. M.

At 2 P. M. the Council reassembled,

The President in the chair.

The roll was called and the following members found to be present:

Messrs. Ferguson, Hanford, Hathaway, Hoover, Ping, Reed, Stewart and Mr. President.—8.

Absent—Mr. Kuhn.

Mr. Hanford from the Committee on Enrolled Bills, reported C. B. 3 and C. B. 4, as having been correctly enrolled.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,
October 5, 1877.

MR. PRESIDENT—

I am instructed to inform the Council that the Speaker has signed,

C. B. No. 2.—An Act changing the time of holding terms of the district court at Walla Walla and Yakima City.

And the same is herewith returned for your signature.

R. G. O'BRIEN,
Chief Clerk.

The President then announced that he had signed

C. B. No. 2.—Relative to changing the time of holding court in Walla Walla and Yakima Cities.

Mr. Ferguson from Committee on Memorials reported back

C. M. 1.—Relative to N. P. R. Lands, and

C. M. 2.—Relative to granting lands to Seattle & Walla Walla, and recommended their passage.

Mr. Hoover moved their consideration be made the special order for 2 P. M. Saturday next.

Motion carried.

Mr. Hathaway moved that one hundred copies of each memorial be printed.

Motion carried.

Mr. Ferguson, from Committee on Federal Relations, reported back,

C. B. 5.—Relative to changing the name of Andrew Wilson to that of Olof Anderson, with the recommendation that it pass.

Mr. Hathaway moved that the rules be suspended and the bill put on its third reading.

Motion carried.

Mr. Hathaway further moved the bill be considered engrossed and put upon its passage.

Motion carried.

The question being the title of the bill, the following vote was had.

Ayes—Messrs. Ferguson, Hanford, Hathaway, Hoover, Ping, Reed and Mr. President—7.

Absent—Messrs. Kuhn and Stewart—2.

The President declared the title of the bill approved.

MESSAGES FROM THE HOUSE.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,
October 5, 1877.

MR. PRESIDENT—

I am instructed by the House to inform the Council that there has been introduced in the House.

H. B. 1.—An act to amend an act, An act entitled an act relating to mortgages on Personal Property.

H. B. 2.—An Act to amend An Act entitled an Act to regulate the practice and proceedings in Civil Actions in the Territory of Washington.

H. B. 3.—An Act to amend An Act entitled An Act to provide for the Assessing and Collecting of County and Territorial Revenue, approved Nov. 12, 1875.

Also, the passage of

H. B. 4.—An Act to change the name of Henrich August Ernest Perschein to that of Harry Benson,

And the same is herewith transmitted.

And the introduction of

H. B. 5.—An Act creating and conferring jurisdiction upon the District Court of Stevens county.

H. B. 6.—An Act in relation to Computation of Fines.

H. B. 7.—An Act creating and conferring jurisdiction upon the District Court of Columbia county.

H. B. 8.—An Act imposing certain duties upon the Governor of the Territory.

R. G. O'BRIEN,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
October 5, 1877.

MR. PRESIDENT—

I am instructed by the House to inform the Council that there has been introduced

H. B. 9.—An Act to make valid the location of County Roads.

H. B. 10.—An Act to amend an Act entitled An Act to provide for the Assessing and Collecting of County and Territorial Revenue, approved Nov. 12, 1875.

H. B. 11.—An Act to authorize the County Commissioners of Yakima county to offer bounty for the scalps of Squirrels and Sage Rats.

H. B. 12.—An Act to appoint a Commission to codify the Laws of Washington Territory.

H. B. 13.—An Act making the Sheriff of Lewis county *ex-officio* Assessor.

And that the House has passed

C. J. R. 5.—Relative to the members' mileage of the Legislative Assembly of Washington Territory, for the Sixth Biennial Session,

And the same is herewith returned with the information that the Speaker has appointed Messrs. Miller and Warbass as such Committee.

Also, the Speaker has signed

C. B. 2.—An act changing the time of holding terms of the District Court at Walla Walla and Yakima City.

And the same is herewith returned for your signature.

R. G. O'BRIEN,
Chief Clerk.

At 2:45 P. M., on motion of Mr. Ferguson, the Council adjourned till to-morrow at 10 o'clock A. M.

T. B. MERRY,
Chief Clerk.

Approved, Oct. 6, 1877,
T. M. REED,
President.

COUNCIL CHAMBER,
Saturday, October 6, 1877.

The Council met at 10 o'clock A. M., pursuant to adjournment.

The President in the chair.

The roll was called and the following members answered present:

Messrs. Ferguson, Hanford, Hathaway, Hoover, Kuhn, Ping, Reed, Stewart and Mr President.—9.

Prayer was offered by Rev. D. N. Utter.

Mr. Ping from Committee on Joint Rules presented the following report:

MR. PRESIDENT—

Your Joint Committee on Joint Rules have had the same under consideration and instruct me to recommend that the Joint Rules of the Fifth (5) Biennial Session be adopted as Joint Rules of this Session.

E. PING,
Chairman.

On motion of Mr. Hoover, the report carrying with it the Joint Rules was adopted.

Mr. Hanford, from the Committee on Judiciary, reported as follows:

MR. PRESIDENT—

The Judiciary Committee of the Council, to whom was referred,

C. B. 6.—Relating to mortgages on personal property, have had the same under consideration and have instructed me to report upon the same and recommend that the substitute for said bill herewith submitted do pass.

C. H. HANFORD,
Chairman.

Mr. Hoover, from the Special Committee on Printing submitted a report as follows:

MR. PRESIDENT—

Your Special Committee to whom was referred

The matter of making arrangements and contracting for such printing as the General Government does not provide for, would respectfully report that they notified all the printing offices in Olympia that they would receive bids at the hour of 2 o'clock P. M., of October 5, that there was received at that time and place, two propositions, one from E. T. Gunn and J. M. Murphy, and one from C. B. Bagley, and deeming the bid from C. B. Bagley to be the lowest and best bid for the Territory, we accepted the same and contracted with him to do such printing at the following rates:

For Composition, per 1,000 ems printer's measurement, 80 cents.

For Press work per token, 80 cents.

For Folding, Stitching and Binding, according to the size of the pamphlet, the usual Binder's prices, ranging from 2½ to 10 cents per copy.

Paper at cost in Olympia.

Payments to be made in Territorial warrants on completion and acceptance of the work.

J. HOOVER,
E. C. FERGUSON,
Committee.

On motion of Mr. Hanford

The report was accepted and Committee discharged.

Mr. President, from the Special Committee on

C. J. R. 5.—Relative to appointment of a Committee on Mileage,

Submitted the following report:

MR. PRESIDENT—

The Select Committee appointed in pursuance of the provisions of

C. J. R. 5.—To ascertain and report upon the mileage of the several members of the Sixth Biennial Session of the Legislative Assembly of the Territory of Washington, would respectfully report that they have discharged the duties assigned them. Your Committee, in computing the mileage of the members of both Houses, find the aggregate sum at the rate allowed by the general govenment, viz: Fifteen cents per mile, counting both ways of travel, would amount to four dollars and thirty cents more than there are funds in the hands of the Territorial Secretary, appropriated for that purpose. Your committee therefore, have made such appropriate and equitable reduction of the mileage of the several members, to cover the deficiency as the circumstances seem to justify and herewith submit the following schedule as the result of their labors;

MEMBERS OF THE COUNCIL.

E. C. Ferguson, 204 miles at 15 cts per mile.....	$ 30 60
C. H. Hanford, 120 miles " " " " "	18 00
M. R. Hathaway, 212 " " " " " "	31 80
J. Hoover, 46 " " " " " "	6 90
J. A. Kuhn, 230 " " " " " "	34 50
Elisha Ping, 920 " " " " " "	138 00
T. M. Reed, 2 " " " " " "	30
C. A. Reed, 400 " " " " " "	60 00
D. Stewart, 860 " " " " " "	129 00
Total 2,994 miles.....	$449 10

Mr. Ferguson moved the further reading of the report be dispensed with.

Motion carried, after which

Mr. Hanford moved that the report be accepted, Committee discharged and that the Chief Clerk furnish a copy of the same to the Territorial Secretary.

Motion carried.

Mr. Hoover introduced

C. B. 7.—An act to provide for the specific performance of certain contracts,

Which was read first and second time, and

On motion of Mr. Ferguson,

Referred to the Judiciary Committee.

Mr. Hanford moved that fifty (50) copies be printed.

Mr. Hanford introduced

C. B. 8.—An act adopting the Common Law of England.

Which was read first and second time, and

On motion of Mr. Ferguson,

Referred to the JudiciaryCommittee.

Mr. Kuhn introduced,

C. B. 9.—Concerning Prosecuting Attorneys,

Which was read first and second time,

On motion of Mr. Ping,

Referred to Committee on Judiciary.

BILLS ON THE TABLE.

H. B. 4—An act to change the name of Henrich Ernest August Perchein to that of Harry Benson,

Was taken up.

On motion Mr. Hoover,

The rules were suspended and the bill read a third time.

The question being on the passage, the roll was called with the following result:

Ayes—Messrs. Ferguson, Hanford, Hathaway, Hoover, Kuhn, Ping, Reed, Stewart and Mr. President.—9.

The President declared the bill passed and title approved.

Mr. Hanford, from the Judiciary Committee, submitted a report on

C. B. 6.—Relating to mortgages on personal property,

Accompanied by a substitute and recommended the adoption of the substitute.

The bill being read.

Mr. Ferguson moved the adoption of the report.

Motion carried; after which,

On motion of Mr. Ferguson,

The bill was laid on the table and the usual number of copies ordered printed.

On motion of Mr. Hoover,

At 11:40 A. M. the Council took a recess till 2 P. M.

The Council re-assembled at 2 P. M., pursuant to adjournment.

The roll was called and the following members found to be present:

Messrs. Ferguson, Hanford, Hathaway, Hoover, Kuhn, Ping, Reed, and Mr. President—8.

Absent—Mr. Stewart.—1.

The hour having arrived (2 P. M.) for the special order, consideration of

C. M. 1.—Relative to Northern Pacific Railroad Lands; also,

C. M. 2.—Relative to granting Lands to Seattle & Walla Walla Railroad, alleged to be forfeited by the Northern Pacific Railroad Company.

C. M. 1.—Relative to N. P. R. Lands,

Was taken up and read second time.

On motion of Mr. Ferguson,

The Memorial was read third time.

Mr. Hanford moved the Memorial be considered engrossed and put upon its passage.

Motion carried.

On motion of Mr. Hoover,

Mr. Hathaway was excused.

The roll was called with the following result:

Ayes—Messrs. Ferguson, Hanford, Hoover, Kuhn, Ping, Reed and Mr. President.—7.

Absent.—Mr. Stewart.—1.

Excused from voting,—Mr. Hathaway.—1.

The President declared the Memorial passed and the title approved.

(Here the Council took a recess of fifteen minutes.)

At expiration of which the President resumed the chair and proceeded with business.

MESSAGE FROM THE GOVERNOR.

The following Message was received from his Excellency, the Governor:

TERRITORY OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, October 5th, 1877.

To the Honorable Council of the Territory of Washington:

GENTLEMEN—I have the honor to inform you that I have this day approved and signed "An Act changing the time of holding terms of the District Court of Walla Walla."

E. P. FERRY.

At this time was received the following

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
October 6, 1877.

MR. PRESIDENT—

I am instructed by the House to inform the Council that there has been introduced and passed:

H. B. 14.—An act creating and conferring jurisdiction upon the District Court of Pacific County.

H. J. M. 1.—In relation to the extension of time for building the N. P. R. R.

H. J. R. 5.—Relative to the apppintment of a Joint Committee to examine the Territorial Auditor's Accounts.

And of the passage of

H. B. 8.—An Act imposing certain duties upon the Governor of the Territory.

C. J. R. No. 4.—To appoint a Select Committee to examine and report upon the incorporation acts of the several towns and cities in the Territory of Washington, and

C. J. R. No. 6.—Requesting Hon. Elwood Evans to deliver to the Sixth Biennial Legislative Assembly of Washington Territory, his Centennial Address.

And the same are herewith transmitted for consideration of the Council.

And the Speaker has signed

C. B. No. 3.—An Act to provide for equalization of taxes in King county for the year 1877, and

C. B. No. 4.—An Act entitled An Act to repeal An Act entitled An Act to provide for the election of County Commissioners and County Assessors of King county, Washington Territory.

And the same are herewith returned for your signature.

And that there has been introduced.

H. B. 15.—An act to amend an act entitled an act to regulate the practice and proceedings in civil actions, Approved Nov. 13, 1873.

H. B. 16.—An act to repeal an act, repealing Section 137 of the act entitled an act relating to crimes and punishments and proceedings in criminal cases.

H. M. 2.—Relative to the removal of obstructions in the Skagit and Stilliguamish rivers.

H. B. 17.—An Act to repeal an Act entitled An Act to provide for the election of County Commissioners in Jefferson county by districts.

R. G. O'BRIEN,
Chief Clerk.

House messages being next in order

C. B. 8.—An Act adopting the Common Law of England.

Was read first and second times, and

On motion of Mr. Ferguson

Referred to Judiciary Committee.

Mr. Hanford, from the Judiciary Committee reported as follows:

MR. PRESIDENT—

The Judiciary Committee to whom was referred

H. B. 14.—Conferring jurisdiction upon the District Court of Pacific county.

Have had the same under consideration and have instructed me to report the same back to the Council with recommendation that the same be amended by striking out the word "county" on the first line of Section 2 of said bill, and that when the same is so amended the bill do pass.

C. H. HANFORD,
Chairman.

Mr. Hathaway moved the rules be suspended that the bill be read a third time.

Motion carried.

Mr. Hathaway then moved the bill be considered engrossed.

Motion carried.

The passage of the bill being in order

The roll was called as follows:

Ayes—Messrs. Ferguson, Hanford, Hathaway, Hoover, Kuhn, Ping, Reed, Stewart and Mr. President.—9.

The President declared the bill passed and title approved.

Mr. Hanford, from the Judiciary Committee, reported as follows:

MR. PRESIDENT—

The Judiciary Committee to whom was referred

C. B. 8.—Adopting the Common Law of England,

Have considered the same and instructed me to report back to the Council, with the recommendation that the bill do pass.

C. H. HANFORD,
Chairman.

Mr. Ferguson moved the bill be read a third time.

Motion carried.

Mr. Hathaway moved the rules be suspended, the bill considered engrossed and put upon its passage.

Motion carried.

The bill passed by the following vote:

Ayes.—Messrs. Ferguson, Hanford, Hathaway, Hoover, Kuhn, Ping, Reed, Stewart and Mr. President.—9.

The President declared the bill passed and the title approved.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,
October 6, 1877.

MR. PRESIDENT—

I am instructed by the House to inform the Council that there has been introduced,

H. B. 18.—An act making an appropriation to enable the Secretary of the Territory of Washington to perform certain duties of his office.

H. B. 19.—An act for the relief of William O. Bush,

And that the House has refused to pass,

Substitute for

C. B. No. 1.—An act to defray the Incidental Expenses of the 6th Biennial Session of the Legislature of Washington Territory.

R. G. O'BRIEN,
Chief Clerk.

Mr. Ferguson by leave introduced

C. B. 10.—An act for the protection of Salmon in the waters of Puget Sound and its tributaries,

Which was read first and second time, and

On motion of Mr. Hoover,

Referred to Committee on Commerce.

Mr. Hanford moved the Council do now adjourn till Monday at 10 A. M.

Motion carried.

And at 3:30 P. M., the Council adjourned.

T. B. MERRY,
Chief Clerk.

Approved, Oct. 8, 1877,
T. M. REED,
President.

COUNCIL CHAMBER,
Monday, October 8, 1877.

The Council met at 10 A. M.

The President in the chair.

The roll was called and the following members found to be present:

Messrs. Kuhn, Hanford, Hathaway, Hoover, Ping, Reed, Stewart and Mr. President.—8.

Absent.—Mr. Ferguson—1.

Prayer was offered by Rev. D. N. Utter.

The Journal of the previous day was read and approved.

Mr. Hoover asked for leave of absence for Mr. Ferguson for two days.

Granted.

Mr. Hoover, from the committee on Ways and Means, reported as follows:

MR. PRESIDENT—

Your Committee to whom was referred

H. J. R. 5.—Relative to the appointment of a Joint Committee to examine the Territorial Auditor's Accounts.

Have had the same under consideration and beg leave to report the same back and recommend that the Council concur in the same.

J. HOOVER,
Chairman Committee on Ways and Means.

Mr. Hanford, by leave introduced

C. B. 11.—An Act to provide for the incorporation of Cities.

Which was read first and second times, and

Referred to the Committee on Corporations, with instructions to have the usual number of copies printed.

Mr. Hoover introduced,

C. B. 12.—An act to amend an act to regulate the practice and proceedings in civil actions, approved Nov. 13, 1875,

Which was read first and second times, and

On motion referred to the Judiciary Committee.

Mr. Hoover also introduced,

C. B. 13.—An act to amend an act, entitled an act, to authorize the construction of ditches, drains and water courses, made and approved Nov. 12, 1875,

Which was read first and second times, and

On motion referred to the Committee on Roads and Highways.

Mr. Hoover introduced

C. R. 3.—*Resolved*, That during the present Territorial Fair, the Council meet at 9 o'clock A. M., and do adjourn at 12 o'clock M., unless otherwise ordered by the Council.

Resolution adopted.

Mr. Kuhn introduced

C. R. 4.—*Resolved*, That hereafter no matter shall be printed, unless so ordered by the Council.

Resolution adopted.

Mr. Stewart introduced,

C. B. 14.—An act to amend an act, relating to Deeds, passed Nov. 13, 1873,

Was read first and second times, and

On motion, referred to Judiciary Committee.

Mr. Stewart also introduced,

C. B. 15.—An act to provide for the formation of Water Flume Companies,

Which was read first and second times, and

On motion, referred to Committee on Counties.

Mr. Hanford introduced,

C. J. R. 7.—*Resolved*, By the Council, the House of Representatives concurring, that all acts of the Legislative Assembly, and all memorials and joint resolutions shall be enrolled

upon parchment or paper in a neat, legible handwriting and without erasures or interlineation; and with the title, enacting clause, and sections following without break-lines, paragraphs or vacant spaces sufficient for addition or incorporation of any word or figure, and all dates and numbers shall be expressed in words and not in figures; and no abbreviations shall be used.

Resolved further, That all enrolled acts, resolutions and memorials shall be printed in separate paragraphs; and each section and numbered subdivision of a section, being a separate paragraph.

Which was read first and second time,

On motion of Mr. Hoover,

The rules were suspended, the resolution read third time, considered engrossed and passed, by the following vote:

Ayes—Messrs. Hanford, Hathaway, Hoover, Kuhn, Ping, Reed, Stewart and Mr. President.—8.

Absent on leave, Mr. Ferguson.—1.

C. M. 2.—Asking Congress to revoke the grant of lands hitherto made to the N. P. R. R. Co., and grant said lands to the Seattle and Walla Walla Railroad Company,

Was read, and

On motion of Mr. Hanford,

Laid on the table.

MESSAGES FROM THE HOUSE.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,
October 8, 1877.

MR. PRESIDENT—

I am instructed by the House to inform the Council that there has been introduced and passed:

H. M. 3.—Relative to the erection of a Fog Bell or Steam Whistle on Foulweather Bluff, Puget Sound.

And the same is herewith transmitted, and concurrent action requested.

R. G. O'BRIEN,
Chief Clerk.

The Memorial having been read first and second times,

Mr. Hanford moved the suspension of the rules that the Memorial be read third time, considered engrossed and placed on its passage.

Motion carried.

The roll was called and the memorial adopted by the following vote:

Ayes—Messrs. Hanford, Hathaway, Hoover, Kuhn, Ping, Reed, Stewart and Mr. President—8.

H. J. R. 5.—Relative to the appointment of a Committee to examine the accounts of the Territorial Auditor.

Was then taken up, and

On motion of Mr. Hathaway,

The rules were suspended, the resolution read a third time, considered engrossed and passed by the following vote:

Ayes—Messrs. Hanford, Hathaway, Hoover, Kuhn, Reed, Ping, Stewart and Mr. President—8.

Mr. Hathaway introduced

C. B. 16.—An Act regulating the taking of Salmon in the Columbia river and its tributaries.

Which was read first and second times, and

Referred to committee on Commerce, with instructions to print two hundred (200) copies.

Mr. Reed, from the Select committee on that portion of the Governor's message bearing upon the Pilot commissioners of the Columbia river bar, asked for and was granted further time to report.

(Mr. Hathaway in the chair.)

Mr. Reed, of Thurston, from the Special committee relating to that portion of the Governor's message relating to a Territorial Board of Equalization, asked for further time, which was granted.

On motion of Mr. Kuhn,

The Sergeant-at-Arms was instructed to procure a copy of the Statutes of the Territory of Washington, and also a copy of the Revised Statutes of the United States, for the use of the Council.

MESSAGE FROM THE HOUSE.

MR. PRESIDENT—

I am instructed by the House to inform the Council that the House has passed

H. B. 5.—Creating and conferring jurisdiction upon the district court of Stevens county.

H. B. 7.—An act establishing the District Court of Columbia County,

R. G. O'BRIEN,
Chief Clerk.

And the same is herewith transmitted.

At 11:50 A. M.,

On motion of Mr. Hoover,

The Council did adjourn till to-morrow at 10 o'clock A. M.

T. B. MERRY,
Chief Clerk.

Approved Oct. 9, 1877,

T. M. REED,
President.

COUNCIL CHAMBER,
Tuesday, October 9, 1877.

The Council met at 10 A. M.

The President in the chair.

The roll was called and the following members answered present:

Messrs. Hanford, Hathaway, Hoover, Kuhn, Ping, Reed, Stewart and Mr. President.—8.

Absent on leave.—Mr. Ferguson.—1.

Prayer was offered by Rev. D. N. Utter.

The Journal of yesterday was read and approved.

The President announced the appointment of Messrs. Stewart and Hoover, on the part of the Council to examine the Territorial Auditor's books in pursuance of

H. J. R. 5.—Relative to the appointment of a Joint Committee to examine Territorial Auditor's accounts.

MESSAGE FROM THE GOVERNOR.

The following Message was received from his Excellency, the Governor:

TERRITORY OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, October 8th, 1877.

To the Honorable Council of the Territory of Washington:

GENTLEMEN—I have the honor to inform you that I have this day approved and signed the following Acts:

C. B. No. 3.—An Act to provide for equalization of taxes in King county for the year 1877, and

C. B. No. 4.—An Act entitled An Act to repeal An Act entitled An Act to provide for the election of County Commissioners and County Assessors of King county, Washington Territory.

I have the honor to be, &c.,

Very respectfully,

E. P. FERRY.

Mr. Reed from Committees reported back

C. B. 15.—An act to provide for the formation of Water Flume Companies,

And recommended its passage.

Mr. Hanford introduced,

C. J. R. 8.—*Resolved*, By the Council, the House concurring, that a Committee of two (2) on the part of the Council and three (3) on the part of the House, be appointed to investigate the condition of the buildings and finances of the University of Washington Territory,

Which was read first and second time.

MESSAGE FROM THE HOUSE.

The following message was received from the House.

HOUSE OF REPRESENTATIVES,
October 9, 1877.

MR. PRESIDENT—

I am instructed by the House to inform the Council that there has been introduced,

H. B. 20.—An act to provide for the election of officers of the Militia.

H. B. 21.—An act to amend Section 336 of Chapter 31 of an Act entitled an act to regulate the practice and proceedings in Civil Actions.

H. B. 22.—An act for the relief of County Commissioners.

H. B. 23.—An act to provide for the payment of surveyors, chainmen and viewers in Walla Walla county.

H. J. R. 6.—Relative to moving the Territorial Library to the Capitol Building.

Also of the introduction and passage of

H. M. 7.—Praying for the opening of the U. S. Land Office at Colfax, Whitman County, W. T.

H. B. 24.—An act to repeal an act entitled an act, an act to incorporate the town of Tumwater.

H. B. 25.—An act authorizing County Commissioners of Stevens County to levy a special tax for bridge purposes.

And the same is herewith transmitted requesting concurrent action.

R. G. O'BRIEN,
Chief Clerk.

Mr. Kuhn moved to amend by inserting "three from the Council and five from the House, instead of two from the Council and three from the House."

The amendment was lost.

On motion of Mr. Hoover,

The rules were suspended, the resolution read third time, considered engrossed, and passed by the following vote:

Ayes—Messrs. Hanford, Hathaway, Hoover, Kuhn, Ping, Reed, Stewart and Mr. President.—8.

Absent.—Mr. Ferguson.—1.

The President appointed Messrs. Hathaway and Ping, as such committee on the part of the Council.

Mr. Kuhn, by leave, introduced

C. B. 17.—An Act to provide for the removal of the books belonging to the Territorial Library to the Capitol Building.

Which was read first and second times,

On motion of Mr. Hoover,

The rules were suspended, the bill read third time, considered engrossed and passed by the following vote:

Ayes—Messrs. Hanford, Hathaway, Hoover, Kuhn, Ping, Reed, Stewart and Mr. President.—8.

Title amended.

Mr. Kuhn introduced

C. B. 18.—An Act to provide for an official Short-hand Reporter, for the District Courts of Washington Territory.

Which was read first and second times.

On motion of Mr. Kuhn,

Referred to the Judiciary Committee, with instructions to have the same printed.

Mr. Hanford introduced

C. B. 19.—An Act to apportion the Legislative Assembly.

Which was read first and second times.

Mr. Reed moved it be referred to committee on Elections.

Mr. Hoover moved it be referred to the Judiciary Committee.

Motion lost.

The original motion was then put and carried, and the bill was so referred.

H. B. 5.—An Act creating and conferring jurisdiction upon the District Court of Stevens county.

Was then taken up, read first and second times and referred to the Judiciary Committee.

H. B. 7.—An Act creating and conferring jurisdiction upon the District Court of Columbia county.

Which was read first and second times.

Referred to the Judiciary Committee.

Mr. Hanford, from the Judiciary Committee, reported back,

C. B. 8.—An act adopting the Common Law of England,

With amendments, and recommended its passage asamended.

Mr. Hathaway moved to adopt the report,

Which was carried,

On motion of Mr. Hathaway,

The bill was read a third time and ordered engrossed.

H. M. 7.—Praying for the opening of the U. S. Land Office at Colfax, Whitman County, W. T.

Was read first and second times, and

On motion of Mr. Ping,

The rules were suspended, the memorial read a third time and passed by the following vote:

Ayes.—Messrs. Kuhn, Hanford, Hathaway; Hoover, Ping, Reed, Stewart and Mr. President.—8.

H. B. 24.—An act to Repeal an Act entitled an act to incorporate the town of Tumwater,

Which was read first and second times, and

Referred to Committee on Corporations.

H. B. 25.—An act authorizing County Commissioners of Stevens County to levy a special tax for bridge purposes,

Was read first and second time, and on motion,

Referred to Committee on Roads and Highways.

At 11:43 A. M.

On motion of Mr. Hoover,

The Council adjourned till 10 o'clock to-morrow.

T. B. MERRY,
Chief Clerk.

Approved, Oct. 9, 1877,
T. M. REED,
President.

COUNCIL CHAMBER,
Wednesday, October 10, 1877.

The Council met at 10 A. M.

The President in the chair.

The roll was called and the following members found to be present:

Messrs. Ferguson, Hanford, Hathaway, Hoover, Kuhn, Ping, Reed, Stewart and Mr. President.—9.

Prayer was offered by J. P. Ludlow.

The Journal of the previous day was read and approved.

Mr. Kuhn, from the Committee on Engrossed Bills,

Reported as correctly engrossed,

H. B. 8.—An act authorizing the Governor to offer standing rewards for the arrest of certain classes of criminals.

Mr. Hanford, from the Judiciary Committee, reported as follows:

MR. PRESIDENT—

Your Committee on Judiciary, to whom was referred,

H. B. 5.—An act to create and confer Jurisdiction upon the District Court of Stevens County.

H. B. 7.—An act creating and conferring jurisdiction upon the District Court of Columbia County,

And substitute for

C. B. 6.—An act to amend an act, entitled an act, relating to Mortgages on Personal Property, made and approved November 12, 1875.

Have considered the same and instructed me to report back to the Council, with the recommendation that the same do pass.

C. H. HANFORD,
Chairman.

Mr. Hoover, from the Committee on Printing, submitted the following report:

MR. PRESIDENT—

Your Committee on Printing, to whom was referred,

C. B. 10.—An act for the protection of Salmon in the waters of Puget Sound and its tributaries,

C. B. 6.—Relating to mortgages on personal property,

H. J. M. 1.—In relation to the extension of time for building the N. P. R. R.

Report the same back with 50 copies of each of the bills and 100 copies of the memorial, printed as instructed.

J. HOOVER,
Chairman.

Mr. Hanford, by leave, introduced, four bills, to wit:

C. B. 20.—An act to repeal an act entitled an act relative to the duties of Probate Judges,

Which was read first and second time, on motion,

Referred to Judiciary Committee.

C. B. 21.—An act to amend an act defining the jurisdiction and practice in the Probate Courts of Washington Territory.

Which was read first and second time, on motion,

Referred to Judiciary Committee.

C. B. 22.—An Act relating to the Probate of Foreign Wills.

Which was read first and second time.

The rules being suspended

On motion of Mr. Kuhn

The bill was read third time and passed by the following vote:

Ayes—Messrs. Ferguson, Hanford, Hathaway, Hoover, Kuhn, Ping, Reed, Stewart and Mr. President.—9.

The President declared the bill passed and title approved.

C. B. 23.—An Act in relation to the records of Probate Courts.

Which was read first and second times,

Referred to Judiciary Committee.

Mr. Hanford introduced

A resolution in relation to books as follows:

Resolved, By the Council, that the Statutes of the Territory furnished by the Sergeant-at-Arms for the use of the Council, shall not be taken or removed from the Council chamber, by any person during the present session of the Legislative Assembly, unless a written receipt be given by the borrower to the Sergeant-at-Arms.

H. B. 8.—An Act authorizing the Governor to offer standing rewards for the arrest of certain classes of criminals.

Was read a third time and placed upon its passage.

Thoee voting in the affirmative were:

Messrs. Ferguson, Hanford, Hoover, Hathaway, Kuhn, Ping, Reed, Stewart and Mr. President.—9.

Title approved.

Mr. Hoover, from committee on Printing reported as follows:

MR. PRESIDENT—

Your committee on Printing to whom was referred C. B. 9.—Concerning Prosecuting Attorneys, Report the same as correctly printed.

J. HOOVER,
Chairman.

C. B. 15.—An act to provide for the formation of Water Flume Companies,

Was taken from the table, read third time, considered engrossed, and passed by the following vote:

Ayes—Messrs. Ferguson, Hanford, Hathaway, Hoover, Kuhn, Ping, Reed, Stewart and Mr. President.—9.

The title was read and approved.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
October 9, 1877.

MR. PRESIDENT—

I am instructed by the House to inform the Council that there has been introduced,

H. J. R. 8.—Relative to the time of hearing the address of Hon. Elwood Evans,

Herewith transmitted and inform you that the Speaker has appointed as the Committee on the part of the House, Messrs. Whitson and Ringer.

R. G. O'BRIEN,
Chief Clerk.

The President appointed as a Committee on the part of the Council, for conference, Messrs. Kuhn and Hoover.

C. B. 6.—An act to amend an act entitled an act relating to mortgages on personal property, approved Nov. 12, 1875,

Was then taken up,

Mr. Ferguson then moved to amend by inserting in line 7 of the printed bill after the word "machinery" the words "milling machinery of every kind and nature."

The amendment was adopted.

The bill was then read a third time and passed by the following vote:

Ayes—Messrs. Ferguson, Hanford, Hathaway, Hoover, Kuhn, Ping, Stewart and Mr. President.—9.

The title was read and approved.

H. B. 5.—An act creating and conferring jurisdiction upon the District Court of Stevens county,

The rules were suspended, the bill read third time and passed by the following vote:

Ayes.—Messrs. Ferguson, Hanford, Hathaway, Hoover, Kuhn, Ping, Stewart and Mr. President.—9.

The title of the bill was read and approved.

H. B. 7.—An act establishing the District Court of Columbia county,

Was read third time and passed by the following vote:

Ayes—Messrs. Ferguson, Hanford, Hathaway, Hoover, Kuhn, Ping, Reed, Stewart and Mr. President.—9.

Title read and approved.

Mr. Hanford, from the Judiciary Committee, reported as follows:

MR. PRESIDENT—

Your Committee on Judiciary, to whom was referred

C. B. 9.—An act in relation to Prosecuting Attorneys, defining their duties and fixing their compensation,

Have had the same under consideration and report it back with recommendation that it pass.

C. H. HANFORD,
Chairman.

On motion of Mr. Ferguson,

The bill was laid on the table.

At 11:40 A. M.,

On motion of Mr. Hoover,

The Council adjourned till 10 o'clock to-morrow.

T. B. MERRY,
Chief Clerk.

Approved October 11, 1877.
T. M. REED,
President.

COUNCIL CHAMBER,
October 11, 1877.

The Council met at 10 A. M.,

The President in the chair.

The roll was called and the following members found to be present:

Messrs. Ferguson, Hanford, Hathaway, Hoover, Kuhn, Ping, Reed, Stewart and Mr. President—9.

Prayer was offered by Rev. J. P. Ludlow.

The Journal of yesterday was read and approved.

Mr. Reed, from the committee on Roads and Highways, reported as follows:

MR. PRESIDENT—

Your Committee to whom was referred

C. B. 13.—An act to amend an act, entitled an act, to authorize the construction of ditches, drains and water courses, made and approved Nov. 12, 1875,

Report the same back with amendments and recommend the passage of the bill as amended.

C. A. REED,
Chairman.

Mr. Hoover, from Committee on Printing, reported as follows:

MR. PRESIDENT—

Your Committee on Printing, to whom was referred,

C. B. 7.—An act to provide for the specific performance of certain contracts,

C. B. 18.—An act to provide for a Short-hand reporter,

Beg leave to report the same back as being properly printed.

J. HOOVER,
Chairman.

Mr. Reed, from Select Committee appointed to consider that portion of the Governor's Message relating to the matter of Pilotage and Pilot Commissioners on the Columbia River Bar,

Reported a bill, entitled,

An act to amend an act entitled An act creating Pilot Commissioners for Columbia River Bar as an amendment to the act of 1871,

And asked the consideration of the bill by the Council as an acceptance of the report.

Laid on the table.

Mr. Reed in the chair.

Mr. Reed, of Thurston, moved to consider

C. B. 9.—An act in relation to Prosecuting Attorneys, defining their duties and fixing their compensation.

Motion carried.

Mr. Hanford moved the Council take a recess of ten minutes.

Motion carried.

On reassembling,

Mr. Ferguson in the chair.

Mr. Reed, of Thurston, moved the bill be considered by sections.

Motion carried.

The consideration of the bill being in order,

Sections one (1), two (2) and three (3) were adopted without amendment.

Sections four (4), five (5), six (6), seven (7) and eight (8) were amended and adopted as amended.

MESSAGE FROM THE HOUSE.

The following message was received from the House.

HOUSE OF REPRESENTATIVES,
October 11, 1877.

MR. PRESIDENT—

I am instructed by the House to inform the Council that the House has passed

H. B. 6.—An Act in relation to Computation of Fines.

H. B. 2.—An Act to amend An Act entitled an Act to regulate the practice and proceedings in Civil Actions in the Territory of Washington.

H. B. 9.—An Act to make valid the location of County Roads.

C. B. 5.—An act to change the name of Andrew Wilson to that of Olof Anderson,

H. B. 18.—An act making an appropriation to enable the Secretary of the Territory of Washington to perform certain duties of his office.

H. M. 2.—Relative to the removal of obstructions in the Skagit and Stilliguamish rivers.

And the same is herewith transmitted.

Also that the House has amended,

C. J. R. 8.—Relative to the University buildings and finances,

And the same is herewith returned.

Also that the Speaker has signed.

H. B. 4.—An Act to change the name of Henrich Ernest August Perschein to that of Harry Benson,

H. B. 14.—Conferring jurisdiction upon the District Court of Pacific county.

H. J. R. No. 2.—Relative to the printing of one thousand copies of the Governor's Message, for the use of the Board of Immigration,

H. J. R. 4.—Relative to printing 1000 additional copies of the Governor's Message relating to the N. P. R. R.

Reported by the committee on Enrolled Bills as correctly enrolled.

And the same is herewith transmitted for your signature.

Also, that the House has concurred in the amendments of the Council to,

H. B. 8.—An Act imposing certain duties upon the Governor of the Territory.

R. G. O'BRIEN,
Chief Clerk.

Consideration of

C. B. 9.—Concerning Prosecuting Attorneys.

Recommended, and Section nine (9) adopted in whole.

Sections ten (10) and (11) were amended and adopted as amended.

On motion of Mr. Reed, of Thurston,

The bill was made special order for 10 A. M., to-morrow.

At 12:15 M.

On motion of Mr. Hoover,

The Council did adjourn till 9 A. M., to-morrow.

T. B. MERRY,
Chief Clerk.

Approved, Oct. 12, 1877,
T. M. REED,
President.

COUNCIL CHAMBER,
Friday, October 12, 1877.

The Council met at 9½ A. M.

The President in the chair.

The roll was called and the following members answered present:

Messrs. Ferguson, Hanford, Hathaway, Hoover, Kuhn, Ping, Reed, Stewart and Mr. President.—9.

The Journal of yesterday was read and approved.

The President announced that he had signed,

H. B. 4.—An act to change the name of Henrich Ernest August Perchein to that of Harry Benson,

H. B. 14.—An act creating and conferring jurisdiction upon the District Court of Pacific County.

H. J. R. 2.—Relative to printing 1000 copies of the Governor's Message for the use of the Board of Immigration.

H. J. R. 4.—Relative to printing 1000 copies of the Governor's Message relative to the N. P. Railroad.

On motion of Mr. Hoover.

The Council proceeded to consider messages from the House.

H. B. 6.—Relating to the Computation of Fines,

Was read first and second times, and

Referred to Judiciary Committee.

H. B. 2.—An act to amend an act entitled an act to regulate the practice and proceedings in Civil actions, Approved Nov. 13, 1873.

Was read first and second times, and

Referred to the Judiciary Committee.

H. B. 9.—An Act to make valid the location of county roads.

Read first and second times, and

On motion, referred to the Committee on Roads and Highways.

H. B. 18.—An Act to enable the Secretary of the Territory to perform certain duties.

Which was read first and second times, and

Referred to committee on Federal Relations.

H. M. 2.—Relative to the removal of obstructions in the Skagit and Stilliguamish rivers.

Which was read first and second times.

On motion of Mr. Hoover,

The rules were suspended, the Memorial read a third time and passed by the following vote:

Ayes.—Messrs. Kuhn, Hanford, Hathaway, Hoover, Ping, Reed, Ferguson, Stewart and Mr. President.—9.

C. J. R. 8.—*Resolved*, By the Council, the House concurring, that a Committee of two (2) on the part of the Council

and three (3) on the part of the House, be appointed to investigate the condition of the buildings and finances of the University of Washington Territory,

Being amended by the House, was read first and second times.

On motion of Mr. Kuhn,

The House amendment was further amended by striking out October 15th, and inserting October 22d, the Council then concurred in the House amendment and ordered it transmitted to the House at once.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,
October 12, 1877.

MR. PRESIDENT—

I am instructed by the House to inform the Council that there has been introduced in the House:

H. B. 31.—An Act prescribing the duties of County Surveyors.

H. B. 32.—An Act to provide for the management of the Territorial Library.

H. B. 33.—An Act concerning hogs found running at large.

H. B. 34.—An Act to amend An Act entitled An Act to establish the amount and provide for the payment of costs in certain cases, Approved December 2d, 1869.

H. B. 35.—An Act defining the rights of Jurors in Washington Territory.

H. B. 36.—An Act to encourage the planting and growing of timber in Stevens and Whitman counties, W. T.

H. B. 37.—An Act to locate a Territorial road from Dayton in Columbia county, to Palouse City in Whitman county, W. T.

And of the passage of

H. B. 11.—An Act to authorize the County Commissioners of Yakima county to offer bounty for the scalps of Squirrels and Sage Rats.

H. B. 17.—An Act to repeal an Act entitled An Act to provide for the election of County Commissioners in Jefferson county by districts.

And the same is herewith transmitted requesting concurrent action.

C. M. 1.—Relative to Northern Pacific Railroad Lands; also,

C. J. R. 7.—*Resolved*, By the Council, the House of Representatives concurring, that all acts of the Legislative Assembly, and all memorials and joint resolutions shall be enrolled.

And the same are herewith returned to the Council.

R. G. O'BRIEN,
Chief Clerk.

The House amendments to

C. J. R. 8.—Relative to the University buildings and finances.

Were then concurred in after adopting amendment.

The President appointed Messrs. Kuhn and Ferguson as committee on part of the Council.

Mr. Kuhn offered the following resolution:

Resolved, That the Council and House of Representatives do meet in Joint Convention at the Town Hall of Olympia, October 13, 1877, at 7:30 P. M., for the purpose of hearing the Centennial Address of Hon. Elwood Evans.

The resolution was read first and second times.

And the rules being suspended was read third time, considered engrossed and passed by the following vote:

Ayes—Messrs. Ferguson, Hanford, Hathaway, Hoover, Kuhn, Ping, Reed, Stewart and Mr. President.—9.

The special order of the day, the consideration of

C. B. 9.—Relating to Prosecuting Attorneys.

Was then taken up and considered by sections.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,
October 12, 1877.

MR. PRESIDENT—

I am instructed by the House to inform the Council that the House has concurred in the Council amendment to House amendment to

C. J. R. 8.—Relative to the visit of the Legislative Assembly to the Territorial University and Hospital for the Insane.

And of the passage of

C. J. R. 9.—Relative to hearing the Address of Hon. Elwood Evans.

And the same are herewith transmitted.

R. G. O'BRIEN,
Chief Clerk.

Mr. Hanford moved to adjourn ten minutes.

Motion carried.

On reassembling

C. B. 9.—Relative to Prosecuting Attorneys.

Was resumed, and sections 12, 13, 14 and 15 were amended and adopted as amended.

Section 16 was adopted without amendment.

On the adoption of section 17, Mr. Stewart moved to strike out the words "fifteen hundred dollars," and insert "twelve hundred dollars."

The ayes and noes were demanded, and the roll being called the motion was lost.

Ayes—Messrs. Ping, Reed, and Stewart.—3.

Noes—Messrs. Ferguson, Hanford, Hathaway, Hoover, Kuhn, and Mr. President.—6.

On motion of Mr. Hanford,

The bill was read third time and ordered engrossed.

At 12:30 P. M.,

On motion of Mr. Hoover,

Adjourned to 9:30 A. M., tomorrow.

T. B. MERRY,
Chief Clerk.

Approved Oct. 13, 1877,
T. M. REED,
President.

COUNCIL CHAMBER,
Saturday, October 13, 1877.

The Council met at 9:30 o'clock A. M., pursuant to adjournment.

The President in the chair.

The roll was called and the following members found to be present:

Messrs. Ferguson, Hanford, Hathaway, Hoover, Kuhn, Ping, Reed, Stewart and Mr. President.—9.

Prayer was offered by J. P. Ludlow.

The Journal of the previous day was read and approved.

Mr. Ferguson, from the committee on Federal Relations, reported.

MR. PRESIDENT—

Your committee on Federal Relations to whom was referred

H. B. 18.—An Act to enable the Secretary of the Territory of Washington, to perform certain duties of his office,

Have had the same under consideration and report the same back with recommendation that it do not pass.

E. C. FERGUSON,
Chairman.

Mr. Hanford, from the Judiciary Committee, made the following report:

MR. PRESIDENT—

The Judiciary Committee to whom was referred,

C. B. 18.—An Act to provide for an official Short-hand Reporter, for the District Courts of Washington Territory.

Have had the same under consideration and report the same back with the recommendation that the title of the said bill be amended to read, "An act to provide for the appointment of an Official Short Hand Reporter for the District Courts," and that Section 4, of said bill be amended by inserting the words "If the defendant require it" after the word "felony" in the 4th line; and by inserting "the defendant" after the words "required by" in the 7th line of the said original bill. And that when so amended the bill do pass.

C. H. HANFORD,
Chairman.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
October 13, 1877.

MR. PRESIDENT—

I am instructed by the House to inform the Council that there has been introduced in the House,

H. B. 38.—An act to amend an act entitled an act in relation to discharging ballast.

H. B. 39.—An act requiring County Commissioners to furnish statistical reports of resources of counties.

H. B. 40.—An act relating to estrays.

H. B. 41.—An act to amend an act entitled an act for the election of County Commissioners and defining their duties, approved Dec. 1, 1869.

H. B. 42.—An act to repeal an act to regulate the running at large of sheep in San Juan county, approved Nov. 12, 1875.

H. B. 43.—An act declaring unfenced and vacant land in San Juan county, a common pasture.

H. B. 44.—An act to amend an act entitled an act relating to Justices of the Peace, and to their practice and jurisdiction.

H. M. 4.—Asking an appropriation to erect a Custom House at Port Townsend, Puget Sound District.

R. G. O'BRIEN,
Chief Clerk.

Mr. Hanford, from the Judiciary Committee, reported as follows:

MR. PRESIDENT—

The Judiciary Committee to whom was referred,

H. B. 6.—An act in relation to the computation of Time,

Have had the same under consideration and report the same back with recommendation that Section 1, of said bill be amended by striking out all of said section after the enacting clause and inserting the following: "that the word month or months, whereever the same occurs in the Statutes of this Territory now in force, or in Statutes hereafter to be enacted, or in any contract made in this Territory, shall be taken and construed to mean calendar time; and that when so amended, the same do pass.

C. H. HANFORD,
Chairman.

Mr. Kuhn introduced,

C. B. 25.—An act abolishing the office of Coroners and Coroner's juries and to appoint in place thereof, 1st, permanent medical officers in each county to make physical examinations and to testify as to its results; 2d, to transfer to the Courts of first instance the duty of hearing the testimony and applying the law,

Which was read first and second times and referred to Committee on Elections. with instructions to print.

C. B. 24.—An act to amend an act entitled an act creating a Board of Pilot Commissioners and Pilots on Columbia River,

Was read first and second times and

On motion of Mr. Hathaway,

The rules were suspended, the bill read third time, considered engrossed and passed by the following vote:

Ayes.—Messrs. Ferguson, Hathaway, Hoover, Kuhn, Ping, Stewart and Mr. President.—8.

Noes.—Mr. Hanford.—1.

Title was read and approved.

C. B. 13.—An act to amend an act entitled an act to authorize the construction of ditches, flumes or water-courses, approved Nov. 12, 1875,

Which was considered by sections and amended.

Bill was then, after a recess, considered engrossed, read third time and passed by the following vote:

Ayes—Messrs. Ferguson, Hanford, Hathaway, Hoover, Kuhn, Ping, Reed, Stewart and Mr. President.—9.

Title read and approved.

H. B. 11.—An Act to authorize the County Commissioners of Yakima county to offer bounty for the scalps of Squirrels and Sage Rats.

Which was read first and second times, and

On motion of Mr. Hoover,

Referred to committee on Indian Affairs.

H. B. 17.—An Act to repeal an Act entitled An Act to provide for the election of County Commissioners in Jefferson county by districts.

Which was read first and second times, rules suspended, read third time and passed by the following vote:

Ayes.—Messrs. Kuhn, Hanford, Hathaway, Hoover, Ping, Reed, Ferguson, Stewart and Mr. President.—9.

Title read and approved.

Mr. Hoover introduced,

C. B. 26.—An act for the relief of J. C. Horr and others,

Which was read first and second times.

On motion, referred to Committee on Claims.

At 12:30 M.,

On motion of Mr. Hoover,

The Council adjourned to meet in Joint Convention at 7:30 P. M., for the purpose of hearing the Centennial Address of Hon. Elwood Evans.

JOINT CONVENTION.

The Council and House of Representatives of the Legislative Assembly met in Joint Convention at 7:30 P. M., pursuant to a concurrent resolution.

In the absence of the Chief Clerk, the roll of the Council was called by J. T. Berry, Asst. Clerk, and a quorum found present.

Hon. Elwood Evans then appeared and read his Centennial Address,

After which the Convention adjourned, the Council to meet according to Standing Rule,

The President announcing the object of the Joint Convention to have been attained,

Adjourned till Monday, Oct. 15, at 9½ A. M.

Pending the consideration of

C. B. 18.—An act to provide for a Short-hand reporter,

Adjourned to meet in Joint Convention.

The Council did adjourn till 9 A. M., to-morrow.

T. B. MERRY,
Chief Clerk.

Approved, Oct. 15, 1877,
T. M. REED,
President.

COUNCIL CHAMBER,
Monday, October 15, 1877.

The Council met at 9:30 A. M.,

The President in the chair.

The roll was called and the following members found to be present:

Messrs. Ferguson, Hanford, Hathaway, Hoover, Kuhn, Ping, Reed, Stewart and Mr. President—9.

Prayer was offered by Rev. J. P. Ludlow.

The Journal of the preceding day was read and amended and approved as amended.

Mr. Ferguson, from the committee on Memorials to whom was referred

C. M. 2.—Relative to granting Lands to Seattle & Walla Walla Railroad, alleged to be forfeited by the Northern Pacific Railroad Company.

Was granted further time to report, till Tuesday, October 16th.

Mr. Ferguson, from committee on Indian Affairs reported.

MR. PRESIDENT—

Your committee on Indian Affairs to whom was referred

H. B. 11.—An Act to authorize County Commmissioners of certain counties named in the bill, to offer bounties for the scalps of Rabbits and Sage-rats.

Do report the same back with an amendment which strikes out the first section of the bill and substitutes an amended section drafted by your committee.

E. C. FERGUSON,
Chairman.

Mr. Hanford, from the committee on Enrolled Bills, reported correctly enrolled.

C. J. R. 1.—To appoint a committee to wait upon the Governor at organization.

C. J. R. 2.—Relative to appointing a Joint Committee on Printing.

C. J. R. No. 4.—To appoint a Select Committee to examine and report upon the incorporation acts of the several towns and cities in the Territory of Washington, and

C J. R. 5.—Relative to appointment of a Committee on Mileage,

C. J. R. No. 6.—Requesting Hon. Elwood Evans to deliver to the Sixth Biennial Legislative Assembly of Washington Territory, his Centennial Address.

C. J. R. 7.—*Resolved*, By the Council, the House of Representatives concurring, that all acts of the Legislative Assembly, and all memorials and joint resolutions shall be enrolled.

C. J. R. 8.—Relative to the visit of the Legislative Assembly to the Territorial University and Hospital for the Insane.

C. J. R. 9.—Relative to hearing the Address of Hon. Elwood Evans.

C. B. 5.—An act to change the name of Andrew Wilson to that of Olof Anderson,

C. M. 1.—Relative to N. P. R. Lands,

Mr. Hathaway, from the Committee on Elections, reported as follows:

MR. PRESIDENT—

Your Committee on Elections, to whom was referred,

C. B. 25.—An act to abolish the office of Coroners and Coroner's juries, and appoint in place thereof permanent medical officers, in each county,

Have had the same under consideration, and report the same back with a recommendation that the title be amended and that the bill be again referred with instructions to print.

M. R. HATHAWAY,
Chairman.

The following message was received from the House.

HOUSE OF REPRESENTATIVES,
October 15, 1877.

MR. PRESIDENT—

I am instructed by the House to inform the Council that the House has passed

H. B. 37.—An Act to locate a Territorial road from Dayton in Columbia county, to Palouse City in Whitman county, W. T.

H. B. 38.—An act in relation to discharging ballast.

H. B. 45.—An act to change the name of Mingel Holpreck to that of William Holbrook,

And the same is herewith transmitted with petition requesting concurrent action.

Also of the introduction of

H. B. 46.—An act authorizing the construction of a wharf to deep water in the town of Olympia, W. T.

H. B. 47.—An act in relation to foreign corporations, holding property and doing business in the Territory.

H. M. 7.—Praying for the establishment of a Military Post at Spokane Falls, Stevens county, W. T.

R. G. O'BRIEN,
Chief Clerk.

Mr. Hoover introduced

C. B. 27.—An act to provide for the appointment of a County Assessor in the county of Pierce and defining his duties,

Was read first and second times, and laid on the table.

Mr. Kuhn introduced

C. B. 28.—An act to amend an act entitled an act relative to crimes and punishments and proceedings in criminal cases, approved Nov. 10, 1873,

Read first and second times, and referred to Judiciary Committee.

Mr. Hanford moved the Council adjourn out of sympathy to Hon. Joseph Foster, of King county, who was suffering from severe domestic affliction.

Mr. Hoover moved the subject matter be reduced to writing and spread upon the Journal of the Council.

Motion carried.

Mr. Hanford then submitted the following preamble and resolution:

Whereas, Since the convening of the present Legislative Assembly, the Supreme Ruler and Creator, in his inscrutable wisdom, has been pleased to visit upon Hon. Joseph Foster, of King county, one of the members of the present House of Representatives and a member of the Council of the Third and Fourth Biennial Sessions of the Legislative Assembly, deep and overwhelming affliction in the removal by death of his three children; Therefore:

Resolved, By the Council, That as an expression of the respect due to a member of the Legislative Assembly, and of the heartfelt sympathy of the members of this body for our friend and colleague, at this his time of affliction, the Council do now adjourn for one day; and that this resolution be entered in the Journal and a copy thereof be sent to the Hon. Joseph Foster,

The resolution was adopted and in pursuance thereof,

At 10:25 A. M.

The Council did adjourn till 9:30 A. M. to-morrow.

T. B. MERRY,
Chief Clerk.

Approved October 16, 1877.
T. M. REED,
President.

COUNCIL CHAMBER,
Tuesday, October 16, 1877.

The Council met at 9½ A. M.

The President in the chair.

The roll was called and the following members answered present:

Messrs. Ferguson, Hanford, Hathaway, Hoover, Kuhn, Ping, Reed, Stewart and Mr. President.—9.

Prayer was offered by Rev. A. Atwood.

Mr. Ferguson, from the Committee on Memorials, reported as follows:

MR. PRESIDENT—

Your Committee on Memorials to whom was referred,

H. M. 1.—Relative to the extension of time for the completion of the N. P. R. R.

Have had the same under consideration, and report the same back with amendments.

E. C. FERGUSON,
Chairman.

Mr. Kuhn, from Committee on Engrossed Bills reported back,

C. B. 9.—Concerning Prosecuting Attorneys.

As having been properly engrossed.

Mr. Ping introduced

C. B. 29.—An act to amend an act relating to Justices of the Peace and to their practice and jurisdiction, approved Nov. 13, 1873,

Which was read first and second times, and referred to Judiciary Committee.

Mr. Kuhn introduced

C. B. 30.—An act to provide for the election of Justices of the Peace, in cases of vacancy,

Which was read first and second times, and referred to Committee on Elections.

(Mr. Kuhn in the Chair.)

Mr. Reed, of Thurston, introduced,

C. B. 31.—An act to provide for the codification of the laws of Washington Territory,

Which was read first and second times, and referred to Committee on Printing, to be printed.

The following communication from R. G. O'Brien, Chief Clerk of the House of Representatives, was read:

Mr. President and Gentlemen of the Council—

The steamer Tacoma, having been placed at my disposal, it gives me pleasure to extend an invitation to the Members and Officers of the Council, to an excursion down the bay among the Islands, leaving Finch's wharf at 3 o'clock.

Very respectfully,

R. G. O'BRIEN.

On motion of Mr. Ferguson,

The invitation was accepted.

The following bills on third reading were then taken up:

C. B. 9.—Relating to Prosecuting Attorneys.

Having been reported engrossed was passed by the following vote:

Ayes—Messrs. Ferguson, Hanford, Hoover, Kuhn, Ping, Hathaway, Reed and Mr. President.—8.

Noes—Mr. Stewart.—1.

The title of the bill was amended and approved.

C. B. 18.—An Act to provide for an official Short-hand reporter.

Was considered by sections and made Special order for tomorrow at 10 A. M.

H. B. 6.—An Act in relation to Computation of Time.

Was amended as recommended by committee on Indian Affairs, read third time, and under suspension of the rules, passed by the following vote:

Ayes.—Messrs. Ferguson, Hanford, Hathaway, Hoover, Kuhn, Ping, Stewart and Mr. President.—9.

The title of the bill was amended to read—An Act defining the term Month.

C. B. 27.—An Act to provide for the appointment of a County Assessor in the county of Pierce, and defining his duties.

Was taken from the table, read a third time, rules suspended, considered engrossed and passed by the following vote:

Ayes—Messrs. Ferguson, Hanford, Hathaway, Hoover, Kuhn, Ping, Reed, Stewart and Mr. President.—9.

The title of the bill was read and approved.

H. B. 11.—An Act to allow the county commissioners of the counties therein named to offer bounties for the scalps of squirrels, wild rabbits and sage-rats.

The bill was then read a third time and passed by the following vote:

Ayes—Messrs. Ferguson, Hanford, Hathaway, Hoover, Kuhn, Ping, Stewart and Mr. President.—9.

The title of the bill was amended by striking out the names of the counties written in the bill and inserting in lieu thereof, the several counties of the Territory.

H. B. 18.—An act making an appropriation to enable the Secretary of the Territory of Washington to perform certain duties of his office.

Mr. Hanford moved to amend by striking out "five hundred

dollars" wherever it occurs in the bill and inserting "fourteen hundred dollars and twenty dollars" which was adopted.

On motion of Mr. Kuhn,

The bill was recommitted to the Committee on Ways and Means.

H. M. 1.—Relative to extension of time for completing the N. P. R. R.

Was then read third time and passed by the following vote:

Ayes—Messrs. Ferguson, Hanford, Hathaway, Hoover, Kuhn, Ping, Reed, Stewart and Mr. President.—9.

The title was read and approved.

Mr. Hathaway was granted leave of absence from Thursday, October 18, to the end of the week.

H. B. 37.—An act to locate a Territorial road from Dayton in Columbia county, to Palouse City in Whitman county, W. T.

Read first and second times,

On motion of Mr. Ping,

The rules were suspended, the bill read third time, considered engrossed and passed by the following vote:

Ayes—Messrs. Hanford, Hathaway, Hoover, Kuhn, Reed, Ping, Stewart, Ferguson and Mr. President—9.

The title of the bill was read and approved.

At 12:15 P. M.

On motion of Mr. Ping,

The Council did adjourn till 9:30 A. M. on Wednesday, Oct. 17, 1877.

T. B. MERRY,
Chief Clerk.

Approved Oct. 17, 1877.
T. M. REED,
President.

COUNCIL CHAMBER,
Wednesday, October 17, 1877.

The Council met at 9:30 A. M.

The President in the chair.

The roll was called and the following members were found to be present:

Messrs. Ferguson, Hanford, Hathaway, Hoover, Kuhn, Ping, Reed, Stewart and Mr. President.—9.

Prayer was offered by the Rev. A. Atwood.

The Journal of yesterday was read and approved.

Mr. Hoover from the committee on Ways and Means, reported as follows:

MR. PRESIDENT—

Your committee on Ways and Means to whom was referred

H. B. 18.—An Act to enable the Secretary of the Territory to perform certain duties.

Have had the same under consideration and report the same back with a substitute therefor, and recommend the adoption of the substitute.

J. HOOVER,
Chairman.

Mr. Kuhn introduced

C. J. R. 10.—*Resolved*, By the Council, the House concurring, That a Committee consisting of two on the part of the Council, and a like number on the part of the House, be appointed to wait upon Hon. Elwood Evans and request a copy of the address delivered before the Joint Convention on the 13th inst., for publication, and that said committee ascertain what will be the cost of printing 5,000 copies of said address.

Which was read first and second times.

On motion of Mr. Kuhn,

The resolution read a third time, considered engrossed and passed by the following vote:

Ayes—Messrs. Hanford, Hathaway, Hoover, Kuhn, Ping, Reed, Stewart, Ferguson and Mr. President.—9.

Mr. Hanford introduced,

C. B. 32.—An act to provide for assessing and collecting County and Territorial Revenue,

Read first and second times and referred to Committee on Ways and Means, with instructions to print one hundred (100) copies.

The hour of 10 A. M., having arrived, the special order of the day was taken up.

C. B. 18.—An act to provide a short Hand Reporter for the District Courts of Washington Territory,

On motion of Mr. Hoover,

Set aside for

H. B. 18.—An act making an appropriation to enable the

Secretary of the Territory of Washington to perform certain duties of his office.

The Committee on Ways and Means having reported a substitute bill "entitled an act making an appropriation for paying Incidental expenses of the Legislative Assembly of the Territory of Washington at its Sixth Biennial Session.

The substitute was adopted as on third reading.

The bill was considered by sections,

Rules suspended, read a third time, the rules further suspended, considered engrossed and passed by the following vote:

Messrs. Ferguson, Hanford, Hathaway, Hoover, Kuhn, Ping, Reed, Stewart and Mr. President.—9.

The title of the bill was read and approved.

On motion of Mr. Hanford,

A recess of ten minutes was taken.

On reassembling,

Mr. Hoover moved a call of the Council,

Motion carried.

The roll being called,

Messrs. Ferguson, Kuhn and Reed were found to be absent and the Door-keeper sent to bring them within the bar.

Mr. Reed having returned voluntarily, further proceedings under the call were dispensed with.

Messrs. Ferguson and Kuhn also took their seats.

Mr. Ping, from Committee on Rules and Orders, reported as follows:

MR. PRESIDENT—

Your Committee on Rules and Orders recommend the following amendment to rule 29; insert after "Propositions and Motions," "Introduction of bills and resolutions."

E. PING,
Chairman.

The report carrying with it the amendment, was adopted.

The consideration of the special order of the day,

C. B. 18.—An act to appoint an official Short Hand Reporter,

Being taken up,

Mr. Kuhn moved to reconsider the vote by which Section 10 of the bill was amended,

Lost on division.

On motion of Mr. Kuhn,

The bill was laid on the table.

H. B. 38.—An act relative to discharging ballast,

Was taken up, read first and second times and referred to Committee on Commerce.

Mr. Hoover, from the Committee on Printing, reported as correctly printed,

C. B. 25.—An act to abolish the office of Coroner and Coroners' juries in the several counties of Washington Territory.

H. B. 45.—An act to change the name of Mengel Holpreck to that of William Holbrook,

Was read first and second times, with accompanying petition and laid on the table.

C. B. 31.—An act to provide for the codfication of the laws of Washington Territory,

Was taken up from the table and referred to Judiciary Committee.

Mr. Ferguson introduced,

C. B. 33.—An act relating to liens.

Which was read first and second times, and with instructions to print, referred to Judiciary Committee.

At 11:40 A. M.

On motion of Mr. Kuhn,

Adjourned to 9:30 A. M., tomorrow.

T. B. MERRY,
Chief Clerk.

Approved Oct. 18, 1877,
T. M. REED,
President.

COUNCIL CHAMBER,
Thursday, October 18, 1877.

The Council met at 9:30 o'clock A. M., pursuant to adjournment.

The President in the chair.

The roll was called and the following members found to be present:

Messrs. Ferguson, Hanford, Hathaway, Hoover, Kuhn, Ping, Reed, Stewart and Mr. President.—9.

Prayer was offered by Rev. A. Atwood.

The Journal of the preceding day was read and approved

Mr. Hanford, from the Judiciary Committe, reported as follows:

MR. PRESIDENT—

Your Committee on Judiciary, to whom was referred,

C. B. 14.—An act to amend an act, relating to Deeds, passed Nov. 13, 1873,

Have had the same under consideration, and report the same back with amendment and recommend that when so amended, the bill do pass.

C. H. HANFORD,
Chairman.

Mr. Kuhn, from the Committee on Commerce, reported as follows:

MR. PRESIDENT—

Your Committee on Commerce, to whom was referred,

H. B. 38.—An act to amend an act entitled an act in relation to discharging ballast.

Have had the same under consideration, and report the same back with recommendation that the same do pass.

J. A. Kuhn,
Chairman.

Mr. Kuhn, from Joint Committee to make the necessary arrangements for the visit of both Houses of the Legislative Assembly to the Territorial Penitentiary and Insane Asylum, report the following:

MR. PRESIDENT—

The Joint Committee appointed to make arrangements to visit Seattle and Steilacoom, have the honor to report that they have received bids from three (3) steamboat Companies, and report that the proposal of the Starr Line, is, in our judgment, the cheapest and best, and recommend that the same be accepted.

J. A. KUHN,
Chairman Council Committee.
A. J. GREGORY,
Chairman House Committee.

Mr. Reed, of Pacific, introduced

C. B. 34.—An Act to amend an act entitled An Act in relation to Roads, Ferries, Bridges, and travel on public highways, Approved December 2d, 1869.

Which was read first and second times and,

On motion of Mr. Hanford

Referred to committee on Roads and Highways.

On motion of Mr. Hathaway,

C. B. 18.—An act to provide for a Short-hand reporter,

Was taken from the table and amended by sections, read a third time and ordered engrossed.

Mr. Hoover introduced

C. B. 35.—An Act to amend an act entitled An Act in relation to Licenses.

Which was read first and second times and referred to committee on Education.

Mr. Ferguson introduced

C. B. 36.—An Act to amend An Act in relation to Licenses, Approved November 13, 1873.

Which was read first and second times and referred to committee on Education.

Mr. Hathaway from the committee on Elections asked leave to report.

MR. PRESIDENT—

Your Committee on Elections, to whom was referred,

C. B. 19.—An Act to apportion the Legislative Assembly.

Have had the same under consideration and report the same back with recommendation to refer the same to committee of the whole.

M. R. HATHAWAY,
Chairman.

The report was adopted and the above named bill made special order for Thursday, October 25th, at 10 A. M.

On motion of Mr. Hanford,

A recess of ten minutes was had, after which the following message from the House was received:

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
October 17, 1877.

MR. PRESIDENT—

I am instructed by the House to inform the Council that there has been introduced in the House.

H. B. 48.—An act to provide for the Collection, Compilation and Printing of the general laws of Washington Territory.

H. B. 49.—An act making appropriation for furnishing the offices of Territorial Auditor and Treasurer, with books and safes.

H. B. 50.—An act to amend an act entitled an act to regulate the practice and proceedings in civil actions, approved Nov. 13, 1873.

H. B. 51.—An Act to provide for the observance of Sunday.

H. B. 52.—An Act to amend an act entitled An Act to regulate Fees and Costs.

H. B. 53.—An Act to create and confer jurisdiction upon the District Courts of Island and Whatcom counties.

H. B. 54.—An Act to enable the Territorial Auditor to make just and equitable settlement between the Territory and the several counties therein.

H. B. 55.—An Act to amend an act entitled An Act relating to Fish and their preservation in the waters of Washington Territory.

H. B. 56.—An Act declaring Samamish Slough navigable.

H. B. 57.—An Act to provide a system for Common Schools.

H. B. 58.—An Act to repeal an act to amend an act in relation to Quartz Mining.

H. B. 59.—An Act to amend Section 33, of Chapter III, of an act entitled an act defining jurisdiction and practice in the Probate Courts of Washington Territory.

H. B. 60.—An act to amend an act defining jurisdiction and practice in the Probate Courts of Washington Territory.

H. B. 61.—An act to regulate the sale of intoxicating liquors.

H. B. 62.—An act to sell the Territorial University.

H. B. 63.—An act for the protection and preservation of salmon fisheries on the Columbia River and its tributaries.

And has passed

H. B. 64.—An act to repeal an act entitled an act, to regulate the collection of Road and Road-Poll taxes.

Also that that the House has passed,

H. B. 35.—An Act defining the rights of Jurors in Washington Territory.

H. B. 44.—An Act to amend an act entitled an act relating to Justices of the Peace and their Practice and Jurisdiction.

H. B. 36.—An Act to encourage the planting and growing of timber in Stevens and Whitman counties, W. T.

H. M. 7.—Praying for the establishment of a Military Post at Spokane Falls, Stevens county, W. T.

H. M. 8.—Asking for an appropriation to erect a Custom House at Port Townsend, W. T.

C. B. 6.—Relating to mortgages on personal property,

C. B. 22.—An Act relating to the Probate of Foreign Wills.

H. B. 5.—An act creating and conferring jurisdiction upon the District Court of Stevens county,

H. B. 7.—An act creating and conferring jurisdiction upon the District Court of Columbia County,

H. J. R. 11.—Relative to moving the Territorial Library to the Capitol Building.

H. M. 3.—Relative to the erection of a Fog Bell or Steam Whistle on Foulweather Bluff, Puget Sound.

H. M. 4.—Praying for the opening of the U. S. Land Office at Colfax, Whitman County, W. T.

H. M. 5.—Relative to a Joint Committee to examine the Territorial Auditor's accounts.

H. B. 8.—An act authorizing the Governor to offer standing rewards for the arrest of certain classes of criminals.

C. B. 5.—An Act to change the name of Andrew Wilson to that of Olof Anderson.

C. J. R. 7.—*Resolved*, By the Council, the House of Representatives concurring, that all acts of the Legislative Assembly, and all memorials and joint resolutions shall be enrolled.

C. M. 1.—Relative to N. P. R. Lands,

C. J. R. 3.—In reference to joint committee to hear the Governor's Message.

C. J. R. 8.—Relative to the visit of the Legislative Assembly to the Territorial University and Hospital for the Insane.

C. J. R. 10.—In reference to committee to enquire cost of printing address of Elwood Evans.

C. J. 11.—In reference to legality of incorporation of towns and cities.

C. J. R. 5.—Relative to appointment of a Committee on Mileage.

C. J. R. 2.—Relative to appointing a Joint Committee on Printing.

Also that the House has passed Council substitute for

H. B. 18.—An act to defray the incidental expenses of the Sixth Biennial Session of the Legislative Assembly of the Territory of Washington.

And the same is herewith returned.

R. G. O'BRIEN,
Chief Clerk.

Mr. Hanford, from the Judiciary Committee reported as follows:

MR. PRESIDENT—

Your committee on judiciary, to whom was referred,

C. B. 20.—An act to repeal an act entitled an act relative to the duties of Probate Judges, approved Nov. 12, 1875.

Have had the same under consideration and report it back with the recommendation that the same do pass.

Your committee also report and herewith submit a bill for consideration,

C. B. 37.—An act to amend an act entitled an act defining the jurisdiction and practice in the Probate Courts of Washington Territory, approved Nov. 11, 1873,

And recommend that the same do pass.

C. H. HANFORD,
Chairman.

Mr. Hanford, from the Judiciary Committee also reported the following majority report.

MR. PRESIDENT—

A majority of your Committee on Judiciary, to whom was referred

C. B. 31.—An act to provide for the codification of the laws of Washington Territory,

Have had the same under consideration and report it back with recommendation that it pass.

C. H. HANFORD,
J. HOOVER,
Of Committee.

The President announced that he had signed,

C. B. 5.—An act to change the name of Andrew Wilson to that of Olof Anderson,

C. J. R. 1.—To appoint a committee to wait upon the Governor at organization.

C. J. R. 2.—Relative to a committee on printing.

C. J. R. 5.—Relative to the members' mileage of the Legislative Assembly of Washington Territory, for the Sixth Biennial Session,

C. J. R. No. 6.—Requesting Hon. Elwood Evans to deliver to the Sixth Biennial Legislative Assembly of Washington Territory, his Centennial Address.

C. J. R. 7.—Relative to enrolling bills, resolutions and memorials.

C. J. R. 8.—Relative to the University buildings and finances.

C. J. R. 9.—Relative to hearing the address of Elwood Evans.

C. J. R. 11.—Relative to the University buildings and finances.

C. M. 1.—Relative to Northern Pacific Railroad Lands.

H. B. 5.—An act to create and confer Jurisdiction upon the District Court of Stevens County.

H. B. 7.—An act establishing the District Court of Columbia County,

H. B. 8.—An Act authorizing the Governor to offer standing rewards for the arrest of certain classes of criminals.

H. M. 3.—Relative to erecting a fog-bell and whistle on Foulweather Bluff, Puget Sound.

H. M. 4.—Asking an appropriation to erect a Custom House at Port Townsend, Puget Sound District.

H. M. 5.—Relative to a joint committee to examine the Territorial Auditor's accounts.

All of which were already reported in a message from the House, as having been signed by the Speaker of the House of Representatives.

The report of the joint committee to make arrangements for visiting the Insane Hospital and Penitentiary, and carrying with it the programme of the contract with the Starr line of steamers, reported by Mr. Kuhn, was taken up.

Mr. Hathaway moved the adoption of the report.

Motion carried.

The President declared the contract confirmed so far as the Council was concerned and the resolution was transmitted to the House.

H. B. 45.—An act to change the name of Mengel Holpreck to that of William Holbrook,

Was taken from the table, read third time and passed.

Ayes.—Messrs. Ferguson, Hanford, Hathaway, Hoover, Kuhn, Ping, Reed, Stewart and Mr. President.—9.

C. B. 14.—An Act to amend an act entitled an act relating to Deeds, passed Nov. 13, 1873.

Was taken up, read third time and ordered engrossed.

Mr. Hoover moved to adjourn till 2 P. M., which was lost on division.

Mr. Hanford moved to take up

C. B. 31.—An act to provide for the codfication of the laws of Washington Territory,

Lost on division.

H. B. 38.—An act to amend an act entitled an act in relation to discharging ballast.

Was taken up.

Mr. Hanford submitted an amendment in place of Section 1, of the bill.

The amendment was lost.

Pending the consideration of the bill,

Mr. Hoover moved to adjourn till 10 A. M. to-morrow.

At 12:40 M. the Council did adjourn to Friday morning, Oct. 19, at 10 o'clock.

T. B. MERRY,
Chief Clerk.

Approved, Oct. 19, 1877,
T. M. REED,
President.

COUNCIL CHAMBER,
Friday, October 19, 1877.

The Council met at 10 A. M.,

The President in the chair.

The roll was called and the following members found to be present:

Messrs. Ferguson, Hanford, Hoover, Kuhn, Ping, Reed, Stewart and Mr. President—8.

Absent on leave Mr. Hathaway.—1.

Prayer was offered by Rev. A. Atwood.

The Journal of the preceding day was read and approved.

Mr. Hoover asked for three days' leave of absence for Edward Harmon, and it appearing that he had procured a proper substitute the leave of absence was granted by the Council.

Mr. Reed, from committee on Roads and Highways reported as follows:

MR. PRESIDENT—

Your committee on Roads and Highways, to whom was referred,

H. B. 25.—An act authorizing County Commissioners of Stevens County to levy a special tax for bridge purposes.

Have had the same under consideration, and report the same back with recommendation that the same do pass.

C. A. REED,
Chairman.

Mr. Ping, from committee on Claims, handed in the following report:

MR. PRESIDENT—

Your committee on Claims, to whom was referred,

C. B. 26.—An act for the relief of J. C. Horr and others,

Have had the same under consideration and report the same back with recommendation that it pass with amendments.

M. R. HATHAWAY,
Chairman.

Mr. Kuhn, from committee on Engrossed Bills, reported as follows:

MR. PRESIDENT—

Your committee on Engrossed Bills to whom was referred,

C. B. 14.—An Act to amend an act entitled an act relating to mortgages on personal property.

C. B. 18.—An Act to provide for an official Short-hand Reporter, for the District Courts of Washington Territory.

Have compared the same, and report them correctly engrossed.

J. A. KUHN,
Chairman.

Mr. Hanford, from committee on Enrolled Bills reported as follows:

MR. PRESIDENT—

Your committee on Enrolled Bills report as correctly enrolled the following Bills:

C. B. 6.—An act to amend an act entitled an act relating to mortgages on personal property, approved Nov. 12, 1875,

C. B. 22.—An Act relating to the Probate of Foreign Wills.

C. H. HANFORD,
Chairman.

Mr. Hoover, from committee on Public Lands and Buildings reported as follows:

MR. PRESIDENT—

Your committee on Public Grounds and Buildings, to whom was referred that part of the Governor's message relating

to Penitentiaries, have had the same under consideration and would respectfully report the same back and recommend a continuance of the present system as being more economical to the Territory and equally beneficial to the interests of the persons serving terms of confinement.

J. HOOVER,
Chairman.

Mr. Hoover laid before the Council, the following communication which was read for information and ordered spread on the minutes.

OLYMPIA, *October* 18, 1877.

To the President and Members of the Council.

GENTLEMEN—I am authorized by Col. Black, General Superintendent of the Northern Pacific Railroad, to invite the members and officers together with any friends they may choose to accompany them, to accept his compliments and an excursion over the road through the Puyallup Valley towards the coal fields. A train will be placed at your disposal for any day next week you may indicate. Very truly,

JNO. R. WHEAT.

Here the Council took recess till ten minutes expired.

On reassembling.

C. B. 14.—An act to amend an act, relating to Deeds, passed Nov. 13, 1873,

Was taken up and passed by the following vote.

Ayes—Messrs. Hanford, Hoover, Kuhn, Ping, Reed, Stewart and Mr. President.—8.

The President declared the bill passed and title approved.

C. B. 18.—An act to provide for a Short-hand reporter,

Was passed by the following vote:

Ayes—Messrs. Ferguson, Hanford, Hoover, Kuhn, Reed and Mr. President.—6.

Noes.—Messrs. Ping and Stewart.—2.

The following message was received from the House.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
October 19, 1877.

MR. PRESIDENT—

I am instructed by the House to inform the Council that the Speaker has signed,

C. B. 6.—An act to amend an act, entitled an act, relating

to Mortgages on Personal Property, made and approved November 12, 1875.

C. B. 22.—An act relative to Foreign Wills.

And the same are herewith transmitted for your signature.

Also that the House has passed.

C. J. R. 10.—*Resolved*, By the Council, the House concurring, That a Committee, consisting of two on the part of the Council, and a like number on the part of the House, be appointed to wait upon Hon. Elwood Evans and request a copy of the address delivered before the Joint Convention on the 13th inst., for publication, and that said committee ascertain what will be the cost of printing 5,000 copies of said address.

And that the Speaker has signed,

H. B. 17.—An Act to repeal an Act entitled An Act to provide for the election of County Commissioners in Jefferson county by districts.

H. M. 2.—Relative to the removal of obstructions in the Skagit and Stilliguamish rivers.

And are herewith transmitted for your signature.

And of the passage of

H. J. R.10.—Relative to a Joint committee to inquire into the expenditure of $1,500 appropriated by the Legislative Assembly of 1874.

Also of the introduction of

H. B. 65.—An Act for the protection of Deer, and Elk.

H. B. 66.—An Act to amend an act entitled an act to provide for pilots for the Straits of Juan de Fuca.

H. B. 67.—An Act to provide for taking the Census of Washington Territory.

H. B. 68.—An Act to amend an act approved Nov. 12, 1875, entitled an act to amend an act entitled an act to regulate the practice in Civil Actions, approved Nov. 12, 1873.

H. B. 69.—An Act providing for the proper confinement of Territorial Convicts.

And of the introduction and passage of

H. B. 60.—An Act to repeal an act authorizing the county commissioners of Clarke county to levy a tax for school purposes.

And the same is herewith transmitted for concurrent action.

Also of the passage of

H. B. 71.—An Act to repeal an act entitled an act to regulate the sale of Eggs by weight, approved Nov. 12, 1875.

R. G. O'BRIEN,
Chief Clerk.

The President announced that he had signed,

C. B. 22.—An act in relation to Probate of Foreign Wills.

C. B. 6.—Amending the Chattel Mortgage Law.

H. B. 38.—An act to amend an act entitled an act relative to discharging ballast,

Was taken from the table.

Mr. Hoover moved to lay it on the table again.

Motion lost.

The bill was then amended, read third time under suspension of rules, considered engrossed and passed by the following vote:

Ayes.—Messrs. Ferguson, Hanford, Hoover, Kuhn, Ping, Reed, Stewart and Mr. President.—8.

The President declared the bill passed and title approved.

Mr. Reed, of Pacific, introduced,

C. B. 38.—An act concerning the collection of Poll Taxes,

Which was read twice and referred to committee on Ways and Means.

Mr. Kuhn introduced,

C. B. 39.—An act in relation to Notaries Public,

Which was read twice and referred to Judiciary Committee, with instructions to print.

Mr. Hanford introduced,

C. B. 40.—An act to amend an act defining Nuisance and securing remedies,

Which was read twice and referred to committee on Indian Affairs.

Mr. Reed, of Pacific, introduced,

C. B. 41.—An act for removal of civil officers otherwise than by impeachment,

Which was read twice and referred to Committee on Counties.

C. B. 37.—An Act to amend an act entitled an act defining the jurisdiction and practice in the Probate courts of Washington Territory, approved Nov. 11, 1873.

Was read twice and referred to committee on Printing.

At 12 o'clock M., the Council took recess till 2 P. M. of this day.

The Council reassembled at 2 P. M.

The President in the chair.

The roll was called and all the members save Mr. Hathaway, absent on leave, answered to their names.

The report of F. S. Holmes, Territorial Librarian, was read, received and placed on file.

On motion of Mr. Hanford,

C. B. 31.—An act to provide for the codification of the laws of Washington Territory,

Was made the special order for Thursday, October 25, at 2 P. M.

House messages were taken up and

On motion of Mr. Ping,

The reading of the messages was dispensed with and the bills transmitted were considered in regular order.

H. B. 64.—An act to repeal an act entitled an act to regulate collection of Road and Road Poll tax in King county.

Read twice, the rules suspended, read third time, considered engrossed and passed.

Ayes—Messrs. Ferguson, Hanford, Hoover, Kuhn, Ping, Reed, Stewart and Mr. President.—8.

The President declared the bill passed and title approved.

H. B. 35.—An Act defining the rights of Jurors in Washington Territory.

Was read twice, amended by striking out section 4 of the bill, rules suspended, bill read third time, considered engrossed and passed.

Ayes—Messrs. Ferguson, Hanford, Hoover, Reed and Mr. President.—5.

Noes—Messrs. Kuhn, Ping and Stewart.—3.

The President declared the bill passed and title approved.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
October 19, 1877.

MR. PRESIDENT—

I am instructed by the House to inform the Council that the House has passed

H. B. 13.—An Act making the Sheriff of Lewis county *ex-officio* Assessor.

H. B. 56.—An Act relating to the navigation of Samamish Slough.

H. M. 7.—Praying for the opening of the U. S. Land Office at Colfax, Whitman County, W. T.

Herewith transmitted requesting concurrent action.

C. B. 15.—An act to provide for the formation of Water Flume Companies,

And the same is herewith returned.

Also, that there has been introduced

H. J. R. 13.—Relative to extending an invitation on excursion to visit Public Institutions.

Herewith transmitted requesting concurrent action.

R. G. O'BRIEN,
Chief Clerk.

H. B. 44.—An act to amend an act entitled an act relating to Justices of the Peace, and to their practice and jurisdiction.

Read twice and referred to Judiciary Committee.

H. B. 36.—An act to encourage planting and growing timber in the counties of Whitman and Stevens,

Was read twice and

On motion of Mr. Ping,

The rules were suspended, the bill read third time, considered engrossed and passed by the following vote:

Ayes—Messrs. Ferguson, Hoover, Hanford, Kuhn, Ping, Reed, Stewart and Mr. President.—8.

The President declared the bill passed and title approved.

Substitute for

H. M. 6.—Relative to Military Post at Spokane Falls,

Was read twice and referred to committee on Printing.

Substitute for

H. M. 8.—Asking an appropriation to erect a Custom House at Port Townsend,

Read twice and referred to committee on Memorials.

H. J. R. 11.—Providing for the removal of the Territorial Library to the Capitol building,

Was read twice and referred to committee on Library.

Mr. President announced he had signed,

H. B. 17.—An act to repeal an act entitled an act to provide for the election of Commissioners of Jefferson county by districts,

Also,

H. M. 2.—Asking for an appropriation for the removal of obstructions from the Skagit and Stilliguamish rivers.

The Council then took up,

H. J. R. 10.—Relative to a joint committee to inquire into the expenditure of $1,500 appropriated by the Legislature of 1875, to repair the Territorial University,

Was read twice, rules suspended, read third time and passed by the following vote:

Ayes—Messrs. Ferguson, Hanford, Hoover, Kuhn, Ping, Reed, Stewart and Mr. President.—8.

H. B. 70.—An Act to repeal an act entitled an act authorizing the commissioners of Clarke county to levy a School Tax.

Was laid on the table on account of Mr. Hathaway's absence.

H. B. 13.—An Act making the Sheriffs of Lewis and San Juan counties *ex-officio* Assessors.

Was read twice and referred to committee on Commerce.

H. B. 56.—An Act declaring Samamish Slough navigable.

Read twice and referred to committee on Commerce.

H. M. 7.—Praying for the opening of the U. S. Land Office at Colfax, Whitman County, W. T.

Read twice and made special order for Wednesday, October

H. J. R. 13.—Relative to inviting Federal and Territorial Officials and Reporters.

Read twice, rules suspended, read third time and passed.

Ayes—Messrs. Ferguson, Hanford, Hoover, Kuhn, Ping, Reed, Stewart and Mr. President.—8.

Mr. Hanford, from committee on Corporations reported.

MR. PRESIDENT—

Your committee on Corporations to whom was referred.

H. B. 24.—An act to Repeal an Act entitled an act to incorporate the town of Tumwater,

Have had the same under consideration, and report it back with a substitute, and recommend that the same be adopted and passed.

C. H. HANFORD,
Chairman.

C. B. 42.—An act to disincorporate the town of Tumwater,
Substitute for
H. B. 24.—An act to repeal an act entitled an act, to incorporate the town of Tumwater.

Was laid on the table.

Mr. Hanford, from committee on Enrolled bills, reported correctly enrolled,

Substitute for

H. B. No. 18.—An act to defray the Incidental Expenses of the 6th Biennial Session of the Legislature of Washington Territory.

Mr. Ping, from committee on Elections, reported as follows:

MR. PRESIDENT—

Your committee on Elections to whom was referred,

C. B. 25.—An act to abolish the office of Coroner and Coroners' juries in the several counties of Washington Territory.

Have had the same under consideration and report the same back with amendments, and recommend that the amendments be adopted and that when so amended the bill do pass.

C. H. HANFORD,
E. PING,
Of Committee.

MR. PRESIDENT—

Your committee on elections, to whom was referred,

C. B. 30.—An act to provide for the election of Justices of the Peace, in cases of vacancy,

Have had the same under consideration, and report the same back together with a substitute for said bill and recommend that substitute be adopted and passed.

C. H. HANFORD,
E. PING,
Of Committee.

At 4 P. M.

On motion of Mr. Hoover,

The Council did adjourn until 10 A. M. tomorrow.

T. B. MERRY,
Chief Clerk.

Approved, Oct. 20, 1877,
T. M. REED,
President.

COUNCIL CHAMBER,
Saturday, October 20, 1877.

The Council met at 10 A. M.,

The President in the chair.

The roll was called and the following members found to be present:

Messrs. Ferguson, Hanford, Hoover, Kuhn, Ping, Reed, Stewart and Mr. President—8.

Absent on leave Mr. Hathaway.—1.

Prayer was offered by Rev. A. Atwood.

REPORTS OF STANDING COMMITTEES.

MR. PRESIDENT—

Your committee on Memorials to whom was referred,

H. M. 8.—Praying for an appropriation to construct a Custom House at Port Townsend, W. T.

Have had the same under consideration, and have instructed me to report the same back with amendments,

E. C. FERGUSON,
Chairman.

MR. PRESIDENT—

Your committee on Indian Affairs to whom was referred,

C. B. 40.—An act to amend an act defining Nuisances and securing remedies,

Have had the same under consideration, and report the same back with recommendation that the same do pass.

E. C. FERGUSON,
Chairman.

MR. PRESIDENT—

Your committee on Commerce to whom was referred,

H. B. 13. —An act making the Sheriffs of the counties of Lewis and San Juan, *ex-officio* assessors in said counties.

Report the same back with amendments and recommend that the bill do pass as amended.

J. A. KUHN,
Chairman.

MR. PRESIDENT—

The Judiciary Committee to whom was referred,

C. B. 39.—An Act in relation to Notaries Public.

Have had the same under consideration and report it back with recommendation that the same do pass.

C. H. HANFORD,
Chairman.

The following communication was read by the Clerk:

SEATTLE, October 18, 1877.

HON. GEO. W. TIBBETTS—

DEAR SIR:—The Seattle and Walla Walla Railraod Company desire me to invite, through you, the Members and Offi-

cers of the Legislature, to a free ride over said road, from Seattle to Renton, on Monday next, October 22d, at such hour as shall best suit their convenience. Very Respectfully,

J. M. COLMAN,
Superintendent.

Mr. Hoover moved the invitation be accepted.

Mr. Hanford moved to amend by appointing a committee of one to notify Mr. Colman what hour would be most suitable.

The amendment prevailed, and the President appointed Mr. Hanford.

The following message was received:

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
October 20, 1877.

MR. PRESIDENT—

I am instructed by the House to inform the Council that the Speaker has signed,

Council Substitute for

H. B. 18.—An Act to defray the Incidental expense of the 6th Biennial session of the Legislative Assembly.

And the same is herewith returned for your signature.

R. G. O'BRIEN,
Chief Clerk.

The President then announced that he was also about to sign,

Council Substitute for

H. B. 18.—An act defraying the incidental expenses, above referred to.

Mr. Hanford moved that the committee on Excursion to Seattle and Steilacoom, be authorized to issue two tickets to each member and officer of the Council,

Motion carried and so ordered.

INTRODUCTION OF BILLS.

Mr. Kuhn introduced,

C. B. 44.—An act to authorize the Board of Health for the district of Puget Sound, to purchase land as a site for a Pest House,

Which was read twice and referred to committee on Commerce.

MESSAGE FROM THE GOVERNOR.

The following Message was received from his Excellency, the Governor:

TERRITORY OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, October 20th, 1877.

To the Honorable Council of the Territory of Washington:

GENTLEMEN—I have the honor to inform you that I have this day approved and signed the following Acts:

To defray the incidental expenses of the Sixth Biennial Session of the Legislative Assembly of Washington Territory.

Relative to Probate of Foreign Wills.

To amend an act entitled an act, relating to mortgages on Personal Property, approved Nov. 12, 1875.

E. P. FERRY,
Governor.

BILLS ON THIRD READING.

C. B. 40.—Relative to Nuisances.

Was taken up and considered in committee of the whole, with Mr. Ferguson in the chair.

Mr. Ferguson, from committee of the whole, reported as follows:

MR. PRESIDENT—

Your committee of the whole have had under consideration,

C. B. 40.—An Act to amend an act defining nuisances and securing remedies.

Report as follows:

Section 1 amended and adopted as read, sections 2 and 3 adopted without amendment.

Your committee therefore recommend its passage as amended.

E. C. FERGUSON,
Chairman.

On motion of Mr. Hanford,

The report was adopted, the bill read third time, considered engrossed and passed by the following vote:

Ayes—Messrs. Ferguson, Hanford, Hoover, Kuhn, Ping, Reed, Stewart and Mr. President.—8.

The President declared the bill passed and title approved.

C. B. 26.—An act for the relief of J. C. Horr and others,

Read third time, amendments adopted and ordered engrossed.

C. B. 25.—An act abolishing the office of Coroners and Coroner's juries and to appoint in place thereof, 1st, permanent

medical officers in each county to make physical examinations, and to testify as to its results; 2d, to transfer to the Courts of first instance the duty of hearing the testimony and applying the law,

On motion of Mr. Kuhn,

Returned to the table.

H. B. 13.—An Act to make the Sheriffs of San Juan and Lewis counties *ex-officio* Assessors.

Was amended and laid on the table with report of committee on Elections.

Substitute for

H. M. 8.—Asking for an appropriation to erect a Custom House at Port Townsend, W. T.

Was taken up with amendments reported by committee on Memorials, the amendment adopted and bill ordered engrossed.

On motion of Mr. Kuhn,

The Council took a recess till 2 P. M.

AFTERNOON SESSION.

On reassembling, at 2 P. M.

The President in the chair.

C. B. 39.—An Act relating to Notaries Public.

Was read third time, rules suspended considered engrossed and passed.

Ayes—Messrs. Ferguson, Hanford, Hoover, Kuhn, Ping, Reed and Mr. President.—7.

The President declared the bill passed and title approved.

C. B. 20.—An act to repeal an act entitled an act relative to the duties of Probate Judges, approved Nov. 12, 1875.

Was returned to the table.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,
October 20, 1877.

MR. PRESIDENT—

I am instructed by the House to inform the Council that the House concur in the amendment of the Council to

H. J. R. 10.—Relative to a Joint committee to inquire into the expenditure of $1,500, appropriated by the Legislative Assembly of 1875 for the Territorial University.

And that the House has refused to concur in the amendment of the Council to

H. B. 35.—An Act defining the rights of Jurors in Washington Territory.

And request a committee of Conference, and that the Speaker has appointed on the part of the House, Messrs. McReavy, Stiles and La Du, as such committee.

R. G. O'BRIEN,
Chief Clerk.

H. B. 25.—An act authorizing County Commissioners of Stevens County to levy a special tax for bridge purposes,

Was taken up and,

On motion of Mr. Hoover,

Recommitted to Judiciary committee.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
October 20, 1877.

MR. PRESIDENT—

I am instructed by the House to inform the Council that the Speaker has appointed Messrs. Percival and La Du, as the commitee on the part of the House, to act with the committee on the part of the Council, in the purchase of supplies for the 6th Biennial Session.

R. G. O'BRIEN,
Chief Clerk.

House messages being taken up

Mr. Ferguson moved a committee of Conference be appointed on

H. B. 35.—An Act defining the rights of Jurors in Washington Territory.

Motion carried.

The President appointed Messrs. Hanford and Hoover as such committee, also appointed Mr. Ferguson as committee on part of the Council to purchase supplies for the Sixth Biennial Session of the Legislative Assembly.

REPORTS OF STANDING COMMITTEES.

Mr. Hanford, from committee on Enrolled Bills, reported as correctly enrolled.

C. B. 15.—An act to provide for the formation of Water Flume Companies,

C. J. R. 10.—In reference to committee to enquire cost of printing address of Elwood Evans.

Mr. Hanford also reported.

MR. PRESIDENT—

The Judiciary Committee to whom was referred

H. B. 25.—An act authorizing County Commissioners of Stevens County to levy a special tax for bridge purposes.

Have had the same under consideration and report it back with amendment, and when so amended recommend its passage.

C. H. HANFORD,
Chairman.

H. B. 25.—An Act to allow the county commissioners of Stevens county to levy a special tax for Bridge purposes.

With amendments reported by Judiciary committee, was then read third time under suspension of the rules the bill considered engrossed and passed by the following vote:

Ayes—Messrs. Ferguson, Hanford, Hoover, Kuhn, Ping, Reed and Mr. President.—7

Title read and approved.

On motion of Mr. Hoover,

The committee on Public Grounds and Buildings were instructed to report on the Insane Asylum and University, at an early day.

C. B, 42.—An Act to disincorporate the town of Tumwater.

Being a substitute reported by the Judiciary committee for

H. B. 24.—An Act to repeal an act entitled an act to incorporate the town of Tumwater.

Was read second time.

On motion of Mr. Hoover,

The bill was read third time, considered engrossed, and passed by the following vote:

Ayes—Messrs. Ferguson, Hanford, Hoover, Kuhn, Ping, Reed, and Mr. President.—7.

Title read and approved.

Mr. Stewart by leave introduced

C. B. 46.—An Act concerning Railroads in Washington Territory.

Which was read twice and referred to committee on Counties.

On motion of Mr. Kuhn,

Adjourned till Wednesday, October 24, at 10 A. M., to give committee on Public Grounds opportunity to report.

T. B. MERRY,
Chief Clerk.

Approved Oct. 24, 1877,
T. M. REED,
President.

COUNCIL CHAMBER,
Wednesday, October 24, 1877.

The Council met at 10 A. M.

The President in the chair.

The roll was called and the following members were found to be present:

Messrs. Ferguson, Hanford, Hathaway, Hoover, Kuhn, Ping, Reed, Stewart and Mr. President.—9.

Prayer was offered by Rev. J. R. Thompson.

The Journal of Saturday, October 20, was read and approved.

PETITIONS AND MEMORIALS.

Mr. Hoover presented the following petition:

CITY OF TACOMA, October 17, 1877.

To the Honorable Legislative Assembly of Washington Territory.

We, the undersigned, Trustees of the City of Tacoma, would, respectfully ask your honorable body to so amend the License Law of 1873, as to authorize all moneys for Licenses within the corporate limits of the City of Tacoma, to be paid directly into the treasury of said City, as a municipal fund for the use of the city and schools.

A. WALTERS,
President.

John W. Ackerson, D. B. Hannah, J. H. Ramsdell, J. W. Bowers. *Trustees.*

REPORTS OF STANDING COMMITTEES.

Mr. Reed, from committee on Roads and Highways reported as follows:

MR. PRESIDENT—

Your committee on Roads and Highways to whom was referred.

H. B. 9.—An Act to make valid the location of county roads.

Have had the same under consideration and report it back with the recommendation that a substitute be adopted in lieu thereof, which is herewith respectfully submitted for your consideration.

C. A. REED,
Chairman.

Mr. Hoover, from committee on Printing reported as follows.

MR. PRESIDENT—

Your Committee on Printing, to whom was referred,

H. M. 6.—Praying for the establishment of a Military Post at Spokane Falls, Stevens county, W. T.

Would respectfully report the same back as properly printed.

J. HOOVER,
Chairman.

Mr. Kuhn from committee on Engrossed Bills, reported as correctly engrossed.

C. B. 26.—An act for the relief of J. C. Horr and others,

Also, substitute for

H. M. 8.—Asking an appropriation to erect a Custom House at Port Townsend,

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
October 24, 1877.

MR. PRESIDENT—

I am instructed by the House to inform the Council that the House has passed substitute for,

H. B. 29.—An Act to amend an act entitled an act concerning Marks and Brands in certain counties, approved November 12, 1875.

H. B. 49.—An act making appropriation for furnishing the offices of Territorial Auditor and Treasurer, with books and safes.

H. B. 55.—An Act to amend an act entitled An Act relating to Fish and their preservation in the waters of Washington Territory.

H. B. 58.—An Act to repeal an act to amend an act in relation to Quartz Mining.

H. B. 82.—An Act to amend an act entitled an act relating to Weights and Measures.

And the same are herewith transmitted requesting concurrent action.

C. B. 8.—Adopting the Common Law of England,

With amendment.

C. B. 9.—Relating to Prosecuting Attorneys.

And the same are herewith returned and concurrence in the amendments requested.

R. G. O'BRIEN,
Chief Clerk.

On motion of Mr. Hathaway,

H. B. 70.—An Act to repeal an act entitled an act authorizing the commissioners of Clarke county to levy a School Tax.

Was taken from the table read third time and passed.

Ayes.—Messrs. Ferguson, Hanford, Hathaway, Hoover, Kuhn, Ping, Stewart and Mr. President.—9.

The title of the bill was read and approved.

INTRODUCTION OF BILLS.

Mr. Kuhn introduced

C. B. 48. An Act in relation to commissioners of Deeds.

Which was read twice, the rules suspended, bill considered engrossed, read third time and passed by the following vote:

Ayes—Messrs. Ferguson, Hanford, Hathaway, Hoover, Kuhn, Ping, Reed, Stewart and Mr. President.—9.

The title of the bill was read and approved.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
October 24, 1877.

MR. PRESIDENT—

I am instructed by the House to inform the Council that the Speaker has signed

C. J. R. 10.—*Resolved*, By the Council, the House concurring, That a Committee, consisting of two on the part of the Council, and a like number on the part of the House, be appointed to wait upon Hon. Elwood Evans and request a copy of the address delivered before the Joint Convention on the 13th inst., for publication, and that said committee ascertain what will be the cost of printing 5,000 copies of said address.

C. B. 15.—An act to provide for the formation of Water Flume Companies,

And the same are herewith returned for your signature.

R. G. O'BRIEN,
Chief Clerk.

The President announced that he had signed.

C. J. R. 10.—Relative to printing of 5,000 copies of the Centennial Address of Hon. Elwood Evans.

C. B. 15.—An Act to provide for the incorporation of Water Flume companies.

Accompanying the foregoing messsge.

Mr. Reed introduced

C. B. 49.—An Act to equalize the fees of the Clerks of the District and Probate Courts, County Auditors and Notaries Public.

Which was read twice and referred to Judiciary committee with instructions to report a Fee Bill.

ENGROSSED BILLS.

C. B. 26.—An Act for the relief of J. C. Horr and others.

Having been reported correctly engrossed was passed by the following vote:

Ayes—Messrs. Ferguson, Hanford, Hathaway, Hoover, Kuhn, Ping, Stewart and Mr. President.—9.

Title approved.

Substitute for,

H. M. 8.—Praying for an appropriation to construct a Custom House at Port Townsend, W. T.

Was also passed by the following vote:

Ayes—Messrs. Hanford, Hathaway, Hoover, Kuhn, Reed, Ping, Stewart, Ferguson and Mr. President—9.

Substitute for,

H. M. 6.—Relative to Military Post at Spokane Falls,

Was read third time, considered engrossed, and passed.

Ayes—Messrs. Ferguson, Hanford, Hathaway, Hoover, Kuhn, Ping, Reed, Stewart and Mr. President.—9.

House messages being under consideration.

H. B. 29.—An Act to amend an act entitled an act concerning Marks and Brands in certain counties of Washington Territory, approved November 12, 1875.

Was read twice and referred to committee on Counties.

H. B. 49.—An Act making appropriation for furnishing the offices of the Territorial Auditor and Treasurer with Books and Safes.

Was read twice and referred to committee on Federal Relations.

H. B. 55.—An act to amend an act entitled an act in relation to Fish and their preservation in the waters of Washington Territory.

Was read twice and referred to committee on Commerce.

H. B. 82.—An act to amend an act entitled an act relating to Weights and Measures.

Received with this message was found to be without an enacting clause, and the clerk was directed to return the same to the House for the purpose of having one inserted.

H. B. 58.—An act to repeal an act to amend an act entitled an act in relation to Quartz mining claims, approved November 12, 1875.

Was read twice and referred to committee on Mining Interests.

C. B. 8.—An Act adopting the Common Law of England

On motion of Mr. Hanford,

The Council concurred in the House amendments to this bill.

At 12:30 P. M.

The Council adjourned till 10 A. M., to-morrow.

T. B. MERRY,
Chief Clerk.

Approved Oct. 25, 1877.
T. M. REED,
President.

COUNCIL CHAMBER,
Thursday, October 25, 1877.

The Council met at 10 o'clock A. M., pursuant to adjournment.

The President in the chair.

The roll was called and the following members found to be present:

Messrs. Ferguson, Hanford, Hathaway, Hoover, Kuhn, Ping, Reed, Stewart and Mr. President.—9.

Prayer was offered by Rev. J. R. Thompson.

The Journal of the preceding day was read and approved.

PETITIONS AND REMONSTRANCES.

Mr. Hathaway presented a petition from the Oregon and Washington Mortgage and Savings Bank, limited, praying that a memorial to Congress be adopted, asking for the repeal of that portion of the Organic Act of the Territory, which excludes Foreign Banking Corporations from doing business in this Territory.

The petition was read and referred to the Committee on Memorials.

Mr. Kuhn, from committee on Commerce, reported as follows:

MR. PRESIDENT—

Your committee on Commerce to whom was referred,

C. B. 44.—An act to authorize the Board of Health for the district of Puget Sound, to purchase land as a site for a Pest House.

Have had the same under consideration and report the same back with amendment and recommend that the same do pass as amended.

J. A. KUHN,
Chairman.

MR. PRESIDENT—

Your committee on Commerce to whom was referred,

H. B. 56.—An Act declaring Samamish Slough navigable.

Have had the same under consideration, and recommend the following amendment:

Strike out the word navigable in the 5th line of Section 1, and insert in lieu thereof, the words "a public highway," and recommend the bill pass as amended.

J. A. KUHN,
Chairman.

Mr. Hathaway, from committee on Education reported as follows:

MR. PRESIDENT—

Your committee on Education to whom was referred

C. B. 35.—An Act to amend an act entitled An Act in relation to Licenses.

Have had the same under consideration and report the same back with an amendment, and recommend the adoption of the bill as amended.

M. R. HATHAWAY,
Chairman.

Mr. Reed, from committee on Roads and Highways, to whom was referred,

C. B. 34.—An act to amend an act in relation to Roads, Ferries, Bridges, and Public Highways.

Have had the same under consideration and report the same back with recommendation that the substitute herewith submitted be adopted in lieu thereof.

C. A. REED,
Chairman.

C. B. 50. (substitute for,

C. B. 34.—An Act to amend an act in relation to Ferries, Bridges, Roads and Public Highways.

Accompanying the above report was read twice and referred to the committee on Roads and Highways, with orders to

confer with a like committee on the part of the House relative to a similar bill now pending in the House.

The following message was received from the House:

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
October 25, 1877.

MR. PRESIDENT—

I am instructed by the House to inform the Council that there has been introduced

H. B. 83.—An act to amend an act entitled an act relative to Crimes and Punishments, and proceedings in criminal cases, approved November 10, 1873.

H. B. 84.—An act to abolish the office of Territorial Superintendent of Common Schools.

H. B. 85.—An act prescribing the number of members composing the Legislative Assembly of the Territory of Washington.

And herewith return,

H. B. 82.—An act to amend an act relating to Weights and measures,

R. G. O'BRIEN,
Chief Clerk.

MESSAGES FROM THE GOVERNOR.

The following messages were received from His Excellency the Governor:

TERRITORY OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, *October*, 25, 1877.

To the Honorable, the Council of the Territory of Washington,

I have nominated John R. Wheat, Esq., to be Territorial Auditor in and for the Territory of Washington and respectfully request the Council to consent to his appointment.

E. P. FERRY,
Governor.

TERRITORY OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, October 25th, 1877.

To the Honorable Council of the Territory of Washington:

I have nominated Francis Tarbell, Esq., to be Territorial Treasurer in and for the Territory of Washington and respectfully request the Council to consent to his appointment.

E. P. FERRY,
Governor.

TERRITORY OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, *October* 25, 1877.

To the Honorable the Council of the Territory of Washington,

GENTLEMEN—I have the honor to inform you that I have this day approved and signed,

"An act to provide for the incorporation of Water Flume Companies."

E. P. FERRY,
Governor.

TERRITORY OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, *October* 25, 1877.

To the Honorable, the Council of the Territory of Washington.

An act to change the name of Andrew Wilson to that of Olof Anderson, is herewith returned without my approval for following reasons:

First: A general law of the Territory gives to the District Courts in the several counties, authority to change the names of persons, on application by petition; hence there is no necessity for special acts to cover individual cases. Laws of 1863, page 411.

Second: The authority to change names having been conferred upon the Courts, the exercise of this power becomes a Judicial act, and the question may arise whether the Legislative Assembly can legally change names while the law referred to remains in force.

Third: Under the construction given to the words "Especial Privileges," by one of the District Judges, the act is in conflict with Section 1889 of the Revised Statutes of the United States.

Fourth: The public have no possible interest in the changing of a name. It is purely a personal matter, for the benefit of one individual and the expense attending it should be paid by the person interested, and should not be taken from the Treasury of the United States.

E. P. FERRY,
Governor.

That portion of the foregoing messages relating to confirmation of the nomination of John R. Wheat, as Territorial Auditor, and Francis Tarbell, as Territorial Treasurer, was made special order for Saturday, October 27, at 11 o'clock, A. M.

C. B. 5.—An Act to change the name of Andrew Wilson to that of Olof Anderson.

Returned by the Governor without approval was then considered, the question being, shall the bill pass notwithstanding the veto.

The roll was called.

Ayes—Messrs. Kuhn, Reed and Stewart.—3.

Noes—Messrs. Ferguson, Hanford, Hathaway, Hoover, Ping and Mr. President.—6.

The President declared the bill lost and the veto sustained.

Mr. Hanford in the chair.

On motion of Mr. Hoover,

Thr Council took a recess till 2 P. M.

AFTERNOON SESSION.

The Council reassembled at 2 P. M., all the members present.

The special orders of the day were taken up.

C. B. 19.—An Act to apportion the Legislative Assembly.

Mr. Hathaway moved the Council go into Committee of the Whole for the purpose of considering the bill.

Motion lost.

On motion of Mr. Kuhn,

The bill was laid on the table.

C. B. 31.—An act to provide for the codification of the laws of Washington Territory,

Was considered in committee of the Whole, Mr. Hathaway in the chair.

Mr. Hathaway, from committee on the whole reported as follows:

MR. PRESIDENT—

Your committee of the whole having had under consideration

C. B. 31.—An act to provide for the codification of the laws of Washington Territory,

Instruct me to report the same back with amendments.

M. R. HATHAWAY,
Chairman.

C. B. 31.—An Act to provide for the codification of the Laws of Washington Territory.

Was then read third time and ordered engrossed.

The following messages were received:

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
October 25, 1877.

MR. PRESIDENT—

I am instructed by the House to inform the Council that the House has passed

H. B. 42.—An act to repeal an act to regulate the running at large of sheep in San Juan county, approved Nov. 12, 1875.

H. B. 54.—An Act to enable the Territorial Auditor to make just and equitable settlement between the Territory and the several counties therein.

H. B. 73.—An act relative to Weights and Measures.

And the same is herewith transmitted for concurrent action.

R. G. O'BRIEN,
Chief Clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES.
October 25, 1877.

MR. PRESIDENT—

I am instructed by the House to inform the Council that the Speaker has signed the following bills, reported as being correctly enrolled:

H. B. 37.—An act to locate a Territorial road from Dayton in Columbia county, to Palouse City in Whitman county, W. T.

H. B. 38.—An act in relation to discharging ballast.

H. B. 36.—An Act to encourage the planting and growing of timber in Stevens and Whitman counties, W. T.

H. B. 70.—An act to repeal an act entitled an act authorizing the Commissioners of Clark county to levy a tax for School purposes, approved Nov. 12, 1875.

H. J. R.10.—Relative to a Joint committee to inquire into the expenditure of $1,500 appropriated by the Legislative Assembly of 1875.

H. M. 1.—Relative to the extension of time for the completion of the N. P. R. R.

And the same are herewith transmitted for your signature.

R. G. O'BRIEN,
Chief Clerk.

H. M. 7.—Praying for the opening of the U. S. Land Office at Colfax, Whitman County, W. T.

Mr. Hathaway moved to strike out the words "and Klickitat" wherever they occur in the memorial.

Mr. Hanford moved to amend by referring to committee on Memorials.

Motion lost.

The question recurring upon the original motion to strike out,

Mr. Hathaway demanded the ayes and noes, and the roll was called with the following result:

Ayes—Messrs. Hathaway and Stewart.—2.

Noes—Messrs. Ferguson, Hanford, Hoover, Kuhn, Ping, Reed and Mr. President.—7.

The President declared the motion lost.

The memorial was then read third time and passed by the following vote:

Ayes—Messrs. Ferguson, Hanford, Hathaway, Hoover, Kuhn, Ping, Stewart and Mr. President.—9.

Mr. Kuhn, from committee on Territorial Library reported as follows:

MR. PRESIDENT—

Your committee on Territorial Library to whom was referred,

H. J. R. 11.—Relative to moving the Territorial Library to the Capitol Building.

Have had the same under consideration and report it back and recommend the same do not pass.

J. A. KUHN,
Chairman.

Mr. Hoover moved that a committee be appointed to confer with a similar committee on the part of the House, concerning the Territorial Library.

Motion carried.

The President appointed as such committee, Messrs. Kuhn and Ferguson.

INTRODUCTION OF BILLS.

Mr. Hoover introduced

C. B. 51.—An Act to amend an act entitled an act relative to Crimes and Punishments and proceedings in criminal cases, approved November 2, 1873.

The bill was read twice and referred to the Judiciary committee.

The following message was received from the House:

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
October 25, 1877.

I am instructed by the House to inform the Council that the House has appointed Messrs. McReavy, Whitson and McDonnell, as a Conference committee to act in conjuction with a like committee to be appointed by the Council, to take into consideration the provisions of

C. B. 17.—An Act in relation to the duties of Territorial Librarian.

H. J. R. 11.—Providing for the removal of the Territorial Library to the Capitol building,

Also that the amendment reported by the committee of Conference appointed to consider the amendment of the Council to

H. B. 35.—An Act defining the rights of Jurors in Washington Territory.

Has been adopted by the House, and the same is herewith transmitted for concurrent action in the amendment.

R. G. O'BRIEN,
Chief Clerk.

At 4 P. M.,

On motion of Mr. Ferguson, the Council adjourned till 10 o'clock on Friday, October 26, 1877.

T. B. MERRY,
Chief Clerk.

Approved Oct. 26, 1877.
T. M. REED.
President.

COUNCIL CHAMBER,
Friday, October 26, 1877.

The Council met at 10 o'clock A. M., pursuant to adjournment.

The President in the chair.

The roll was called and the following members found to be present:

Messrs. Ferguson, Hanford, Hathaway, Hoover, Kuhn, Ping, Reed, Stewart and Mr. President.—9.

Prayer was offered by Rev. J. R. Thompson.

The Journal of the preceding day was read and approved.

REPORTS OF STANDING COMMITTEES.

Mr. Reed, from the committee on Counties, reported the following:

MR. PRESIDENT—

A majority of your committee on Counties to whom was referred,

C. B. 46.—An Act concerning Railroads in Washington Territory.

Have had the same under consideration, and report it back with the recommendation that the same do pass with the amendments herewith submitted.

C. A. REED,
DANIEL STEWART,
Committee.

Mr. Ping, being one of said committee, objected to the report as not embracing the opinion of the entire committee and was granted further time to prepare a minority report.

MR. PRESIDENT—

Your committee on Judiciary to whom was referred,

C. B. 33.—An Act relating to Liens.

C. B. 43.—An Act to regulate Marriages.

Have had the same under consideration, and report them back with the recommendation that the same do pass.

C. H. HANFORD,
Chairman.

MR. PRESIDENT—

Your committee on Judiciary would respectfully submit for consideration.

C. B. 52.—An Act to amend an act entitled an act relating to Justices of the Peace, and to their practice and jurisdiction, approved November 12, 1873.

And recommend the same do pass.

C. H. HANFORD,
Chairman.

MR. PRESIDENT—

Your committee on Ways and Means to whom was referred

C. B. 55.—An Act to make the Territorial Treasurer *ex-officio* Territorial Librarian.

Have had the same under consideration, and report the same back with recommendation it do pass with amendments.

J. HOOVER,
Chairman.

Mr. PRESIDENT—

Your committee on Federal Relations, to whom was referred that portion of the Governor's Message, relating to State Government, have had the same under consideration and have instructed me to report by bill which is herewith submitted.

E. C. FERGUSON,
Chairman.

REPORTS OF SELECT COMMITTEES.

Mr. Kuhn, from committee of Conference on Territorial Library Bill.

C. B. 17.—Relative to Territorial Librarian,

Report that a bill to cover the case will be introduced in the House, to remedy the defect.

Mr. Ferguson, from committee on Expenditure of $1,500 by the Territorial University, reported as follows:

MR. PRESIDENT—

Your special committee, to whom was referred the matter of inquiring into the expenditure of the sum of $1,500 appropriated for repairs upon the Territorial University building by act of the Legislative Assembly approved Nov. 12, 1875, have had the same under consideration and make the following report:

Your committee have examined the vouchers for the expenditures and also the work done; and it appears to your committee that said amount of $1,500 has been judiciously expended and in accordance with the act authorizing the same. Your committee also find the aforesaid act contains a provision that said money shall not be expended until deeds shall be executed by the grantors to the Territory, conveying an absolute and unconditional title to the Territory to the land upon which the University is located. No additional deeds have been made, but an opinion has been given by the Chief Justice of the Territory, that the deeds to said lands now of record, convey the title in fee to the Territory of Washington.

E. C. FERGUSON,
E. PING,
Committee on part of the Council.

On motion of Mr. Hanford,

The report was received and the committee discharged.

INTRODUCTION OF BILLS.

Mr. Hoover introduced,

C. B. 53.—An Act to provide for the purchase of the reports of the decisions of the Supreme Court of Washington Territory, and respecting the custody and distribution of the same.

Which was read twice and referred to Judiciary committee, with instructions to print.

C. B. 54.—An act to protect persons selling spirituous, malt or fermented liquors from misrepresentation of minors as respects their ages,

Which was read twice and referred to committee on Commerce.

C. B. 55.—An act to make the Territorial Treasurer *ex-officio* Territorial Librarian,

Which was read twice and referred to committee on Ways and Means.

C. B. 52.—An to amend an act entitled an act relating to Justices of the Peace and to their practice and jurisdiction, approved Nov. 13, 1873,

Was read twice and referred to committee on Printing with instructions to print 200 copies.

Mr. Hoover introduced,

C. B. 56.—An act in relation to the collection of Licenses in the cities of Tacoma and Steilacoom,

Which was read twice and

On motion of Mr. Hoover,

The rules were suspended, bill read third time, considered engrossed and passed by the following vote:

Ayes—Messrs. Hanford, Hathaway, Hoover, Kuhn, Ping, Reed, Stewart and Mr. President.—8.

The President declared the bill passed and title approved.

Mr. Kuhn inquired if the report of the resident Physician of the Insane Asylum had been printed and how many copies ?

Mr. Hanford moved that fifty (50) copies each of the reports of the resident Physician and Board of Trustees be printed for use of the Council,

Motion carried.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
October 26, 1877.

MR. PRESIDENT—

I am instructed by the House to inform the Council that the House has passed.

Substitute for

H. B. 66.—An act to amend an act entitled an act to provide for pilots for the Straits of San Juan de Fuca, approved Jan. 30, 1868.

H. B. 85.—An act prescribing the number of members comprising the Legislative Assembly of the Territory of Washington,

And herewith transmit for your consideration, also,

C. B. 27.—An Act to provide for the appointment of a County Assessor in the county of Pierce, and defining his duties.

With amendment, and the same is herewith returned and concurrence in the amendment requested.

R. G. O'BRIEN,
Chief Clerk.

C. B. 57.—An act to provide for calling a convention to frame a Constitution for a State of Washington and submitting the same to the people for ratification or rejection,

Was taken from the report of the committee on Federal Relations and read twice and referred to the committee on Ways and Means, with orders to print one hundred copies.

C. B. 55.—An act to make the Territorial Treasurer *ex-officio* Territorial Librarian.

Was reported back by committee on Ways and Means, read third time and ordered engrossed.

At 12 M.

On motion of Mr. Hoover,

The Council took a recess till 2 P. M.

AFTERNOON SESSION.

On reassembling at 2 P. M., all the members were present.

C. B. 25.—An act abolishing the office of Coroners and Coroner's juries and to appoint in place thereof, one permanent medical officer in each county.

Was considered by sections, amended, read third time and ordered engrossed.

C. B. 19.—An act to apportion the Legislative Assembly,

Was taken from the table.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
October 26, 1877.

MR. PRESIDENT—

I am instructed by the House to inform the Council that the House has introduced

H. B. 89.—An act appropriating money for the construction of a wagon road across the Cascade Mountains.

H. B. 90.—An act defining the boundary between the counties of Island, San Juan, Whatcom and Snohomish.

H. B. 91.—An act to amend an act entitled an act to encourage the cultivation of Oysters, approved Nov. 5, 1873.

H. B. 92.—An act to amend an act entitled an act relative to Crimes and Punishments and proceedings in criminal cases, approved Nov. 10, 1873.

And that the Speaker has signed the following bills reported correctly enrolled and herewith transmitted for your signature:

H. B. 6.—An Act in relation to Computation of Time.

H. B. 11.—An Act to authorize County Commmissioners of certain counties named in the bill, to offer bounties for the scalps of Rabbits and Sage-rats.

H. B. 25.—An Act to allow the county commissioners of Stevens county to levy a special tax for Bridge purposes.

H. B. 45.—An act to change the name of Mengel Holpreck to that of William Holbrook,

H. B. 64.—An act to repeal an act entitled an act, to regulate the collection of Road and Road-Poll taxes.

H. J. R. 13.—Relative to inviting Federal and Territorial Officials and Reporters.

Also the passage of

H. B. 76.—An act to amend an act entitled an act relative to attorneys and counsellors at law.

And the same is herewith transmitted for your consideration.

R. G. O'BRIEN,
Chief Clerk.

The Council resumed the consideration of,

C. B. 19.—An act to apportion the Legislative Assembly.

Mr. Hoover sent up an amendment to the bill and moved its adoption by inserting a new section as section two,

Which was read and on the question of adoption,

(Mr. Kuhn in the chair,)

Mr. Hanford demanded the ayes and noes and the roll was called with the following result:

Ayes—Messrs. Ferguson, Hoover, Kuhn, Ping, Reed, Stewart and Mr. President.—7.

Noes—Messrs. Hanford and Hathaway.—2.

The President declared the amendment adopted.

The bill was then read third time and passed under suspension of the rules by the following vote:

Ayes—Messrs. Hanford, Hoover, Ferguson, Kuhn, Ping, Reed and Mr. President.—7.

Noes—Mesrs. Hathaway and Stewart.—2.

The President declared the bill passed and title approved.

Mr. Kuhn, from committee on Engrossed Bills, reported as correctly engrossed,

C. B. 31.—An Act to provide for the codification of the Laws of Washington Territory.

Mr. Hanford, from Judiciary committee reported:

MR. PRESIDENT—

Your committee on Judiciary to whom was referred,

C. B. 49.—An Act to equalize the fees of the Clerks of the

District and Probate Courts, County Auditors and Notaries Public, with instructions to report a General Fee Bill,

Have had the same under consideration and herewith report a General Fee Bill, which is herewith submitted, and recommend the same do pass.

C. H. HANFORD,
Chairman.

On motion of Mr. Hoover,

At 4:10, P. M.

The Council adjourned till Saturday, at 10 o'clock A. M.

T. B. MERRY,
Chief Clerk.

Approved Oct. 27, 1877,
T. M. REED,
President.

COUNCIL CHAMBER,
Saturday, October 27, 1877.

The Council met at 10 o'clock A. M., pursuant to adjournment.

The President in the chair.

The roll was called and the following members found to be present:

Messrs. Ferguson, Hanford, Hathaway, Hoover, Kuhn, Ping, Reed, Stewart and Mr. President.—9.

Prayer was offered by Rev. J. R. Thompson.

The Journal of the preceding day was read and approved.

PETITIONS AND MEMORIALS.

Mr. Hathaway presented a petition from citizens of Clarke county asking for the passage of a Game law, so worded as to punish trespassers,

Which was read and referred to committee on Education.

Mr. Hoover, presented a petition from citizens of Pierce county, asking the passage of a Local Option law, with a consequential damage clause.

Which was read and referred to Committee on Education.

REPORTS OF STANDING COMMITTEES.

Mr. Hanford, from the committee on Judiciary reported as follows:

MR. PRESIDENT—

Your committee on Judiciary to whom was referred,

H. B. 2.—An Act to amend An Act entitled an Act to regulate the practice and proceedings in Civil Actions in the Territory of Washington.

Have had the same under consideration and report the same back with amendments and recommend the same do pass when so amended.

C. H. HANFORD,
Chairman.

Mr. Kuhn, from committee on Engrossed Bills, reported as correctly engrossed,

C. B. 55.—An act to make the Territorial Treasurer *ex-officio* Territorial Librarian.

MR. PRESIDENT—

Your committee on Counties, to whom was referred,

Substitute for

H. B. 29.—An Act to amend an act entitled an act concerning Marks and Brands in certain counties of Washington Territory, approved November 12, 1875.

Have had the same under consideration and report the same back with the recommendation that the same do pass.

C. A. REED,
Chairman.

Mr. Ping, from committee on Mining and Mining Interests, reported:

MR. PRESIDENT—

Your committee on Mines and Mining Interests, to whom was referred,

H. B. 58.—An act to repeal an act to amend an act entitled an act in relation to Quartz mining claims, approved November 12, 1875.

Have had the same under consideration, and report it back and recommend that the same be amended by striking out all of Section 2, and that when so amended the bill do pass.

E. PING,
Chairman.

MR. PRESIDENT—

A minority report of your committee on Counties to whom was referred,

C. B. 46.—An Act concerning Railroads in Washington Territory.

Make the following minority report:

Said bill upon its face shows great unjust discrimination, and does not provide for different kinds of freight, and further, in my opinion, it is unwise at this time to legislate upon this subject, therefore your minority committee recommend that the bill do not pass.

E. PING,
of Committee.

Mr. Hoover, from committee on Printing to whom was referred,

C. B. 53.—An act to provide for the purchase of the decissions of the Supreme Courts.

C. B. 57.—Relative to calling a Constitutional Convention.

C. B. 52.—An Act to amend an act entitled an act relating to Justices of the Peace, and to their practice and jurisdiction, approved November 12, 1873.

Reported the same as being properly printed and sent back for consideration.

Mr. Kuhn, from committee on Commerce reported:

MR. PRESIDENT—

Your committee on Commerce to whom was referred,

C. B. 54.—An Act to protect persons selling spirituous liqors from the misrepresentations of Minors as to their ages.

Have had the same under consideration, and report the same back with the recommendation that it do pass.

J. A. KUHN,
Chairman.

MOTIONS AND RESOLUTIONS.

Mr. Ping introduced the following resolution:

Resolved, That for the remainder of the session of the Legislative Assembly, the consideration of House Messages be made the order of each day's business at 2:30 P. M.

Resolution adopted.

Mr. Hathaway introduced the following resolution:

Resolved, That a committee of three be appointed to consult with a committee of the Portland Board of Trade and other persons interested in the Salmon fisheries of this Territory, in regard to needed legislation for the preservation of Salmon in the Columbia River.

The resolution was adopted, and the President appointed as such committee, Messrs. Hathaway, Ferguson, and Reed, of Pacific.

The following message was received:

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
October 27, 1877.

MR. PRESIDENT—

I am instructed by the House to inform the Council that there has been introduced and passed,

H. B. 95.—House substitute for,

C. B. 17.—An Act to provide for the removal of the books belonging to the Territorial Library to the Capitol Building.

And that the House has passed,

H. B. 26.—An Act to amend an act entitled an act prescribing the qualification of Notaries Public, approved November 11, 1875.

Which are herewith transmitted for your consideration.

C. B. 39.—An Act in relation to Notaries Public.

C. B, 42.—An Act to disincorporate the town of Tumwater.

C. B. 45.—An act providing for the election of Justices of the Peace in case of vacancies.

C. B. 48. An Act in relation to commissioners of Deeds.

And the same are herewith returned.

R. G. O'BRIEN,
Chief Clerk.

INTRODUCTION OF BILLS.

Mr. Hathaway introduced,

C. B. 59.—An act to amend an act to provide for the protection of game, approved Nov. 12, 1875,

Which was read twice and referred to committee on Education.

Mr. Hanford introduced,

C. B. 60.—An act to amend the Charter of the city of Seattle,

Which was read twice and referred to committee on Corporations.

The hour having arrived, 11 A. M., for considering the nominations made by the Governor, for the offices of Territorial Auditor and Treasurer respectively.

On motion of Mr. Kuhn,

The Council went into

EXECUTIVE SESSION.

With closed doors.

The message nominating John R. Wheat as Territorial

Auditor was read by the Clerk, and on the question "shall the nomination be confirmed," the nomination was unanimously confirmed, and the Clerk was ordered to notify his Excellency, the Governor, of such confirmation.

The message, nominating Francis Tarbell for Territorial Treasurer, was read by the Clerk, and on the question "shall the nomination be confirmed," the message was on motion laid on the table, subject to twenty-four hours call by any member of the Council.

The object of the executive session having been gained, the President ordered the doors opened.

At 11:50 A. M.

On motion of Mr. Hanford,

The Council took a recess till 2 P. M.

AFTERNOON SESSION.

The Council re-assembled at 2 P. M.

The President in the chair.

The roll was called and all the members found present.

C. B. 31.—An act to provide for the codification of the laws of Washington Territory,

Was read twice and

On motion of Mr. Hanford,

The bill was laid on the table subject to the order of the Council.

C. B. 55.—An Act to make the Territorial Treasurer *ex-officio* Territorial Librarian.

Was taken up and the Clerk ordered to insert in line 5, of Section 4, the words "in the penal sum of one thousand dollars," after which the bill was passed:

Ayes—Messrs. Ferguson, Hanford, Hathaway, Hoover, Ping, Reed, Stewart and Mr. President.—8.

Noes—Mr. Kuhn.—1.

The title of the bill was read and approved.

The following message was then received:

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
October 27, 1877.

MR. PRESIDENT—

I am instructed by the House to inform the Council that the Speaker has signed the following memorials, reported correctly enrolled and herewith transmit for your signature:

H. M. 6.—Relative to Military Post at Spokane Falls,

H. M. 8.—Praying for an appropriation to construct a Custom House at Port Townsend, W. T.

C. B. 56.—An act in relation to the collection of Licenses in the cities of Tacoma and Steilacoom,

Which is herewith returned.

Also the introduction in the House of

H. B. 96.—An act to amend an act to better provide for the maintenance of common schools in Jefferson county, approved Oct. 20, 1875.

Which was passed and is herewith transmitted.

H. B. 97.—An act to appropriate funds for the expenses of the Board of Immigration.

H. B. 98.—An act to repeal an act to prohibit the owners of hogs from permitting the same to run at large,

And has passed,

H. B. 99.—An act relating to road districts in San Juan county.

H. B. 100.—An act defining districts in San Juan county for the election of County Commissioners,

Which are herewith transmitted and of the introduction of

H. B. 101.—An act to authorize the Territorial Auditor to contract for the printing of the Biennial Reports of Territorial Auditor and Treasurer.

Also of the passage of

C. B. 13.—An act to amend an act, entitled an act, to authorize the construction of ditches, drains and water courses, made and approved Nov. 12, 1875,

With amendment, and the same is herewith transmitted requesting concurrence in the amendment, also,

H. M. 10.—Relative to authority being given the resident Inspector of Customs, residing on San Juan Island to enter and clear vessels.

Herewith transmitted for your consideration.

R. G. O'BRIEN,
Chief Clerk.

BILLS AND REPORTS.

H. B. 2.—An act to amend an act entitled an act to regulate the practice and proceedings in Civil actions, Approved Nov. 13, 1873.

Was taken from the report of the Judiciary committee and read, upon question of adopting the committee's amendment.

Mr. Hathaway demanded the ayes and noes, and the roll was called with the following result:

Ayes—Messrs. Ferguson, Hanford, Hoover, Kuhn, Ping, and Mr. President.—6.

Noes—Messrs. Hathaway, Reed, and Stewart.—3.

The President declared the amendment adopted.

Mr. Hanford moved to further amend the bill by inserting an additional section to read, "This act shall take effect from and after its passage," which was adopted.

The bill was then read third time, considered engrossed and passed by the following vote:

Ayes—Messrs. Ferguson, Hanford, Hoover, Reed, Ping, Hathaway, Stewart, and Mr. President.—8.

Noes—Mr. Kuhn.—1.

The title of the bill was read and approved.

MESSAGE FROM THE HOUSE.

On motion of Mr. Hanford,

Were now taken up for consideration

H. B. 54.—An Act to enable the Territorial Auditor to make just and equitable settlement between the Territory and the several counties therein.

Was read twice and referred to committee on Federal Relations.

Substitute for,

H. B. 66.—An Act to amend an act entitled an act to provide for pilots for the Straits of Juan de Fuca.

Was read twice and referred to committee on Commerce.

H. B. 85.—An act prescribing the number of members composing the Legislative Assembly of the Territory of Washington.

Which was read twice and

On motion of Mr. Hoover,

The rules were suspended, the bill read third time, considered engrossed and passed.

Ayes—Messrs. Ferguson, Hanford, Hoover, Hathaway, Kuhn, Ping, Reed, Stewart and Mr. President.—9.

Title read and approved.

H. B. 76.—An act to amend an act entitled an act in relation to Attorneys and Counsellors at Law, passed Jan. 24, 1863.

Was read twice and referred to Judiciary Committee.

H. B. 35.—An Act defining the rights of Jurors in Washington Territory.

Was taken up and the House amendments concurred in by the Council.

H. B. 82.—An act to amend an act entitled an act relating to Weights and Measures.

Was read twice and

On motion of Mr. Ferguson,

The bill was read third time under suspension of the rules and passed.

Ayes—Messrs. Ferguson, Hanford, Hathaway, Reed, Stewart and Mr. President.—6.

Nays—Messrs. Hoover, Kuhn and Ping.—3.

The President declared the bill passed and its title approved.

H. B. 42.—An act to repeal an act to regulate the running at large of sheep in San Juan county, approved Nov. 12, 1875.

Was read twice, and the motion to suspend the rules failing to receive the requisite vote, the bill was laid on the table.

(Mr. Kuhn in the chair.)

C. B. 27.—An Act to provide for the appointment of a County Assessor in the county of Pierce, and defining his duties.

Was taken up, and

On motion of Mr. Hoover,

The House amendment was concurred in.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
October 27, 1877.

MR. PRESIDENT—

I am instructed by the House to inform the Council that there has been introduced and passed,

H. B. 102.—An act for the relief of the Puget Sound Steam Navigation Company.

H. B. 79.—An act to protect forests and timber lands from fires and to punish the unlawful and careless handling of fire.

H. J. R. 14.—Relative to Joint Convention of both Housss to give audience to the sub-committee of the Portland Board of Trade.

Herewith transmitted requesting concurrent action.

R. G. O'BRIEN,
Chief Clerk.

The Sub-committee of the Portland Board of Trade, Messrs. John West, Jas. W. Cook, and J. G. Megler, were invited and took seats within the bar.

H. J. R. 14.—Relative to Joint Convention of both Houses to give audience to the Sub-Committee of the Portland Board of Trade.

Was then read first and second times and,

On motion of Mr. Hoover,

The rules were suspended, the resolution read third time and passed.

Ayes—Messrs. Ferguson, Hanford, Hathaway, Hoover, Kuhn, Ping, Reed, Stewart and Mr. President.—9.

H. B. 102.—An act for the relief of the Puget Sound Steam Navigation Company.

Was taken up read twice, rules suspended, and

On motion of Mr. Ferguson,

Bill read third time and passed.

Ayes—Messrs. Hanford, Hathaway, Hoover, Kuhn, Reed, Ping, Stewart, Ferguson and Mr. President—9.

The title of the bill was read and approved.

H. B. 73.—An act relative to Weights and Measures.

Was read twice and referred to committee on Agriculture.

H. B. 26.—An Act to amend an act entitled an act prescribing the qualification of Notaries Public, approved November 11, 1875.

Was taken up and,

On motion of Mr. Kuhn,

Indefinitely postponed.

H. B. 95.—House substitute for,

C. B. 17.—An Act to provide for the removal of the books belonging to the Territorial Library to the Capitol Building.

Was read twice,

On motion of Mr. Hoover,

The rules were suspended the bill considered engrossed and passed by the following vote:

Ayes—Messrs. Ferguson, Hanford, Hathaway, Hoover, Kuhn, Ping, Stewart and Mr. President.—9.

The title was read and approved.

H. B. 96.—An act to amend an act to better provide for the maintenance of Common Schools in Jefferson county.

Was read twice,

On motion of Mr. Kuhn,

The rules were suspended bill read third time and passed by the following vote:

Ayes—Messrs. Ferguson, Hanford, Hathaway, Hoover, Kuhn, Ping, Reed, Stewart and Mr. President.—9.

Title read and approved.

H. M. 10.—Relative to allowing Inspectors of Customs on San Juan Island to enter and clear vessels,

Was read twice, and

On motion of Mr. Kuhn,

The rules were suspended, the bill read third time and passed by the following vote:

Ayes.—Messrs. Ferguson, Hanford, Hoover, Kuhn, Ping, Reed, Stewart, Hathaway and Mr. President.—9.

H. B. 100.—An act defining districts in San Juan county for the election of county commissioners,

Was read twice and referred to committee on Counties.

H. B. 99.—An act to relating to Road Districts in San Juan county,

Was read twice and referred to committee on Roads and Highways.

C. B. 13.—An act to amend an act entitled an act to authorize the construction of ditches, flumes or water-courses, approved Nov. 12, 1875,

The question being, "shall the Council concur in the House amendments," the bill was re-committed to the committee on Roads and Highways.

At 4:45 P. M.

On motion of Mr. Ferguson,

The Council adjourned to Monday morning, October 29, at 10 o'clock.

T. B. MERRY,
Chief Clerk.

Approved Oct. 29, 1877.
T. M. REED,
President.

COUNCIL CHAMBER,
Monday, October 29, 1877.

The Council met at 10 o'clock A. M., pursuant to adjournment.

The President in the chair.

The roll was called and the following members found to be present:

Messrs. Ferguson, Hanford, Hathaway, Hoover, Kuhn, Ping, Reed, Stewart and Mr. President.—9.

Prayer was offered by Rev. J. P. Ludlow.

The Journal of the preceding day was read and approved.

PETITIONS AND MEMORIALS.

Mr. Hathaway presented a Memorial for extension of time for holding sessions of the Legislative Assembly.

Read and referred to committee on Memorials.

REPORTS OF STANDING COMMITTEES.

Mr. Hanford from Judiciary committee reported as follows:

MR. PRESIDENT—

Your committee on Judiciary to whom was referred,

C. B. 28.—An act to amend an act entitled an act relative to crimes and punishments and proceedings in criminal cases, approved Nov. 10, 1873,

Have had the same under consideration and report it back, and a majority of your committee recommend the same do pass.

C. H. HANFORD,
Chairman.

Mr. Hathaway, from committee on Education, reported:

MR. PRESIDENT—

Your committee on Education to whom was referred,

C. B. 59.—An act to amend an act to provide for the protection of game, approved Nov. 12, 1875,

Have had the same under consideration and report it back with the recommendation that it do pass.

M. R. HATHAWAY,
Chairman.

Mr. Hoover, from committee on Ways and Means, reported:

Mr. PRESIDENT—

Your committee on Ways and Means, to whom was referred

C. B. 57.—Relative to calling a Constitutional Convention.

Have had the same under consideration and report the same back with recommendation that it do pass.

J. HOOVER,
Chairman.

Mr. Reed, from committee on Roads and Highways, to whom was referred,

C. B. 13.—An act entitled an act to authorize the construction of Ditches, Drains and Water Courses, approved Nov. 12, 1875,

Have had the same under consideration and report the same back with the recommendation that the bill do pass.

C. A. REED,
Chairman.

Mr. Reed, from committee on Roads and Highways, reported

MR. PRESIDENT—

Your committee on Roads and Highways, to whom was referred,

H. B. 99.—An act relating to road districts in San Juan county,

Have had the same under consideration and report the same back with the recommendation that the same do pass, as amended.

C. A. REED,
Chairman.

Mr. Kuhn, from committee on Engrossed Bills reported:

MR. PRESIDENT—

Your committee on Engrossed Bills to whom was referred,

C. B. 25.—An act to abolish the office of Coroner and Coroners' juries in the several counties of Washington Territory.

Report the same back properly engrossed.

J. A. KUHN,
Chairman.

Mr. Hanford, from committee on enrolled bills, reported as follows:

MR. PRESIDENT—

Your committee on Enrolled bills to whom was referred,

C. B. 8.—An act adopting the Common Law of England.

C. B. 9.—Concerning Prosecuting Attorneys,

Respectfully report that the same have been correctly enrolled.

C. H. HANFORD,
Chairman.

Mr. Stewart, from committee on Agriculture reported:

MR. PRESIDENT—

Your committee on Agriculture to whom was referred

H. B. 73.—An act to repeal an act establishing a uniform standard of Weights and Measures, approved Dec. 21, 1867.

Would recommend the same do pass.

DAN. STEWART,
Chairman.

Mr. Hoover, from committee on Way and Means, reported:

MR. PRESIDENT—

Your committee on Ways and Means to whom was referred

C. B. 32.—An act to provide for assessing and collecting County and Territorial Revenue,

Would respectfully report the same back without recommendation.

J. HOOVER,
Chairman.

Mr. Hoover, from committee on Public Grounds, report, (see appendix.)

Mr. Hathaway introduced the following resolution:

Resolved, That on and after Monday, Oct. 29, 1877, the Doorkeeper be instructed to act as second assistant Clerk, to assist in completion of the Journal and that the messenger be instructed to assist the enrolling clerk in the comparison and enrollment of bills, subject to the instructions of said enrolling clerk,

Which was adopted.

Mr. Hathaway, from committee of Conference, reported:

MR. PRESIDENT—

Your committee to confer with delegates of the Portland Board of Trade, would report progress. Your committee met the delegates last Saturday evening and the subject of the conference will be more fully made known at the first joint convention to be held to-day.

M. R. HATHAWAY,
Chairman.

A communication from Hon. N. H. Owings, Territorial Secretary, enclosed in a message from his Excellency, the Governor, concerning the title to Capitol Building, (See Appendix), was read and

On motion of Mr. Kuhn,

Was referred to the commitee on Public Buildings.

On motion of Mr. Hathaway,

The President of the Council was appointed on committee in place of Mr. Hathaway.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
October 29, 1877.

MR. PRESIDENT—

I am instructed by the House to inform the Council that the House has passed,

H. B. 47.—An act in relation to foreign corporations, holding property and doing business in the Territory of Washington.

Herewith transmitted for your consideration.

C. B. 18.—An act to provide a Short Hand Reporter for the District Courts of Washington Territory,

Amended by the House and herewith returned requesting concurrent action in the amendment, also that the House has passed,

H. M. 9.—Relative to the establishment of a Land Office at Port Townsend,

And the same is herewith transmitted.

R. G. O'BRIEN,
Chief Clerk.

LNTRODUCTION OF BILLS.

Mr. Hanford introduced,

C. B. 61.—An act to authorize the Governor to offer a reward for the arrest of the murderer of Ole Haegenson.

Which was read twice.

Mr. Kuhn moved to amend by striking out one thousand dollars and inserting three hundred dollars.

Mr. Hoover moved to amend further by inserting five hundred which was adopted.

On motion of Mr. Hanford,

The rules were suspended, the bill read third time and passed.

Ayes—Messrs. Hanford, Hathaway, Hoover, Kuhn, Ping, Reed, Stewart, Ferguson and Mr. President.—9.

The title of the bill was read and approved.

Mr. Hathaway introduced,

C. B. 62.—An act to provide funds to maintain free common schools.

Which was read twice and referred to committee on Education.

Mr. Ferguson introduced,

C. B. 63.—An act in relation to Bond of Territorial officers.

Which was read twice and referred to committee on Ways and Means.

On motion of Mr. Kuhn,

The Watchman was instructed to trim the lamps and be ready for night sessions.

Mr. Reed, of Thurston, introduced,

C. B. 64.—An act to incorporate the town of Olympia.

Which was read twice and referred to a select committee, consisting of Messrs. Reed, of Thurston, Ferguson and Stewart.

At 12 M., the Council took a recess till 2 P. M.

AFTERNOON SESSION.

On reassembling at 2 P. M., all the members were present. The President in the chair.

On motion of Mr. Hoover,

The rules were suspended, House messages set aside, and the Council proceeded to consider

C. B. 33.—An act relating to liens.

Which was considered by sections.

The following message was received:

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
October 29, 1877.

MR. PRESIDENT—

I am instructed by the House to inform the Council that the Speaker has signed,

C. B. 9.—Concerning Prosecuting Attorneys.

C. B. 8.—An act adopting the Common Law of England.

H. M. 7.—Praying for the opening of the U. S. Land Office at Colfax, Whitman County, W. T.

And the same are herewith transmitted for your signature.

Also, that the House has passed,

H. J. R. 11.—Relative to New Business.

H. M. 7.—Praying for vessels of war to be stationed in Puget Sound.

H. B. 91.—An act to amend an act to encourage the cultivation of Oysters, approved Nov. 3, 1873.

Herewith transmitted and concurrent action requested.

R. G. O'BRIEN,
Chief Clerk.

The President announced that he had signed,

C. B. 8.—An act adopting the Common Law of England.

C. B. 9.—Concerning Prosecuting Attorneys,

Received with the foregoing House message.

The following message was received from the House:

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
October 29, 1877.

MR. PRESIDENT—

I am instructed by the House to inform the Council that the House is now ready to receive the Council in Joint Convention to give audience to the Sub-committee of the Portland Board of Trade, of Portland, Oregon.

R. G. O'BRIEN,
Chief Clerk.

Mr. Hoover moved the Council now proceed to Joint Convention.

Motion carried.

Mr. Hanford, on his own motion, was excused from attending the Joint Convention, being detained by Judiciary committee duty.

JOINT CONVENTION.

The Joint Convention was called to order at 2:35 P. M., by Hon. Thos. M. Reed, President of the Council.

Present.—Hon. R. G. Newland, Speaker of the House, and Messrs. J. W. Cook, J. G. Megler and John West, the Sub-committee of the Portland Board of Trade, with their counsel, Hon. Elwood Evans.

His Excellency, the Governor, was also invited and took a seat within the bar.

The roll of the Council was called by the Chief Clerk, and that of the House by its Chief Clerk.

The President declaring a quorum of each branch of the Legislative Assembly present.

Hon. Elwood Evans, counsel for the Board, appeared and laid before the Convention a bill drafted for the preservation of Salmon.

Representative Stiles called for the reading of the bill.

The Clerk read sections one, two, and three of the bill, when,

On motion of Mr. Ferguson,

The further reading of the bill was dispensed with.

Mr. Hoover moved the Council do now retire.

The motion being carried, the President declared the Joint Convention dissolved and the Council retired.

On reassembling in the Council Chamber,

The President in the chair.

The Council resumed consideration of

C. B. 33.—An act relating to Liens.

The bill was considered up to section 30, when,

Mr. Ferguson moved to reconsider the vote by which section 27 was amended.

Motion carried.

The question being that of adoption, the amendment was lost on division.

On motion of Mr. Ferguson,

The bill was read third time, rules suspended, considered engrossed and passed by the following vote:

Ayes—Messrs. Ferguson, Hanford, Hoover, Kuhn, Ping, Reed, Hathaway and Mr. President.—8.

Excused—Mr. Stewart.—1.

Title read and approved.

A communication from Hon. N. H. Owings, Secretary of the Territory, in reference to the exhaustion of the appropriation of money for the per diem of the members and officers of the Legislative Assembly, was read and referred to a select committee to consist of Messrs. Stewart, Kuhn, and Mr. President. (See Appendix).

C. B. 47.—Substitute for

H. B. 9.—An Act to make valid the location of County Roads.

On motion of Mr. Hathaway,

The rules were suspended, the bill considered engrossed, and passed by the following vote:

Ayes—Messrs. Hanford, Hathaway, Hoover, Reed, Stewart, and Mr. President.—6.

Noes—Messrs. Kuhn, and Ping.—2.

C. B. 32.—An act to amend an act entitled an act relating to Justices of the Peace and their practice and jurisdiction, approved Nov. 13, 1873.

Reported favorably by the Judiciary committee, and read third time.

On motion of Mr. Hoover,

The rules were suspended, the bill considered engrossed and passed by the following vote:

Ayes—Messrs. Ferguson, Hanford, Hoover, Kuhn, Ping, Reed, Hathaway, Stewart and Mr. President.—9.

The President declared the bill passed and title approved.

C. B. 54.—An Act to protect persons selling spirituous liquors from the misrepresentations of Minors as to their ages.

Was taken from the report of the committee on Commerce, read third time, considered engrossed and passed.

Ayes—Messrs. Ferguson, Hanford, Hoover, Kuhn, Ping, Hathaway, Reed, Stewart and Mr. President.—9.

The President declared the bill passed and title approved.

C. B. 59.—An act to amend an act for the protection of game, approved November 12, 1875.

Was taken from the report of committee on Education, amended and read a third time.

On motion of Mr. Hathaway,

The rules were suspended, the bill considered engrossed and passed by the following vote:

Ayes—Messrs. Hanford, Hathaway, Hoover, Kuhn, Ping, Ferguson, Reed, Stewart and Mr. President.—9.

The President declared the bill passed and title approved.

At 4:45 P. M.

On motion of Mr. Hoover,

The Council adjourned to Tuesday, October 30, at 10 A. M.

T. B. MERRY,
Chief Clerk.

Approved Oct. 30, 1877,
T. M. REED,
President.

COUNCIL CHAMBER,
Tuesday, October 30, 1877.

The Council met at 10 A. M.

The President in the chair.

The roll was called and the following members found to be present:

Messrs. Ferguson, Hanford, Hoover, Kuhn, Ping, Reed, Hathaway, Stewart and Mr. President—9.

Prayer was offered by Rev. J. P. Ludlow.

The Journal of yesterday was read, amended and approved.

Mr. Hanford presented a petition to accompany

H. B. 56.—An Act relating to the navigation of Samamish Slough.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
October 30, 1877.

MR. PRESIDENT—

I am instructed by the House to inform the Council that there has been introduced in the House,

H. B. 103.—An act to amend an act entitled an act to organize the county of Columbia.

H. B. 104.—An act tor the relief of Fred S. Holmes.

H. B. 105.—An act to amend an act entitled an act relating to Crimes and Punishments and proceedings in Criminal Cases, approved November 10, 1873.

H. B. 106.—An act regulating Salmon Fisheries in the waters of the Columbia river.

H. B. 107.—An act providing a revenue to assist the Oregon and Washington Fish Propagating Company.

H. B. 108.—Substitute for,

C. B. 19.—An act to apportion the Legislative Assembly.

The House has passed,

H. B. 27.-An act to amend an act entitled an act to amend an act to incorporate the City of Walla Walla, approved Nov. 13, 1873.

Herewith transmitted, and that the Speaker has signed,

H. B. 32.—An act to amend an act to regulate the practice and proceedings in Civil Actions for the Territory of Washington, approved November 13, 1873.

Herewith returned for your signature.

And of the passage of,

H. B. 108.—Substitute for,

C. B. 19.—An act to apportion the Legislative Assembly.

Herewith transmitted and concurrence requested.

R. G. O'BRIEN,
Chief Clerk.

REPORTS OF STANDING COMMITTEES.

Mr. Hanford, from committee on Judiciary, reported as follows:

MR. PRESIDENT—

Your committee on Judiciary to whom was referred

H. B. 76.—An act to amend an act entitled an act relative to attorneys and counsellors at law.

C. B. 53.—An act to provide for the purchase of the decisions of the Supreme Courts.

Have had the same under consideration and report it back with the recommendation that it do pass.

C. H. HANFORD,
Chairman.

Mr. Hanford, from committee on Corporations, reported:

MR. PRESIDENT—

Your committee on Corporations to whom was referred,

C. B. 60.—An act to amend the Charter of the city of Seattle,

Have had the same under consideration and report it back, and recommend that the same do pass.

C. H. HANFORD,
Chairman.

Mr. Hanford, from committee on Corporations reported as follows:

MR. PRESIDENT—

Your committee on Corporations to whom was referred,

C. B. 16.—An act to provide for the incorporation of cities.

Have had the same under consideration, and report the same with amendments and recommend the adoption of the amendments, and that when so amended the bill do pass.

C. H. HANFORD,
Chairman.

Mr. Reed, from committee on Counties reported as follows:

MR. PRESIDENT—

Your committee on counties to whom was referred,

H. B. 100.—An act defining districts in San Juan county for the election of County Commissioners,

Have had the same under considerution and report the same back with recommendation.

C. A. REED,
Chairman.

Mr. Ferguson, from committee on Memorials reported,

MR. PRESIDENT—

Your committee on Memorials to whom was referred, the petition from Oregon and Washington Mortgage and Savings Bank, Limited,

Have had the same under consideration and have directed me to report the same back without recommendation.

E. C. FERGUSON,
Chairman.

Mr. Ferguson, from committee on Memorials, reported:

MR. PRESIDENT—

Your committee on Memorials to whom was referred,

C. M. —Praying for an extension of time in holding sessions of the Legislative Assembly of the Territory of Washington.

Have had the same under consideration and have instructed me to report the same back with the recommendation that it do pass.

E. C. FERGUSON,
Chairman.

Mr. Kuhn, from committee on Commerce, reported:

MR. PRESIDENT—

Your committee on Commerce to whom was referred

H. B. 66.—An Act to amend an act entitled an act to provide for pilots for the Straits of Juan de Fuca.

Report the same back and recommend its passage.

J. A. KUHN,
Chairman.

On motion of Mr. Hathaway,

The select committee appointed to confer with the Portland Board of Trade committee were discharged.

H. J. R. 12.—Relative to New Business.

Was taken up, read twice, amended and passed.

Ayes—Messrs. Ferguson, Hanford, Hathaway, Hoover, Kuhn, Ping, Stewart and Mr. President.—9.

INTRODUCTION OF BILLS.

Mr. Hanford introduced,

C. B. 65.—An act to regulate the practice and proceedings in civil actions.

Read twice and referred to committee on Judiciary.

Mr. Ping introduced,

C. B. 66.—An act to provide for raising revenue for road purposes in Columbia county.

Bill read twice and referred to committee on Roads and Highways.

Mr. Kuhn introduced,

C. B. 67.—An act to protect persons owning land near tide waters.

The bill was read twice and,

On motion of Mr. Hanford,

The rules were suspended, the bill read third time, considered engrossed and passed.

Ayes—Messrs. Hanford, Hoover, Kuhn, Ping, Stewart, Reed and Mr. President.—7.

Mr. Hoover introduced,

C. B. 69.—An act to make the Territorial Treasurer *ex-officio* custodian of Capitol building.

Bill was read twice, Mr. Hathaway in the chair, and referred to committee on Public Grounds and Buildings.

Mr. Reed, of Thurston, introduced,

C. B. 70.—An act for the relief of William Billings,

Read twice and referred to committee on Claims.

C. J. R. 12.—Relative to printing Journals of last Session,

Was read twice, rules suspended, considered engrossed and passed.

Ayes—Messrs. Ferguson, Hanford, Hathaway, Hoover, Kuhn, Ping, Reed, Stewart and Mr. President.—9.

On motion of Mr. Hoover (the President in the chair),

H. B. 108.—Substitute for

C. B. 19.—An act to apportion the representation of the Legislative Assembly of the Territory of Washington,

Was taken up and read twice.

Mr. Hoover offered to amend the bill.

Mr. Hanford moved its reference to committee on Elections.

Lost on division.

On vote adopting amendment,

Mr. Hathaway moved the ayes and nays:

Noes—Messrs. Ferguson, Hanford, and Hathaway.—3.

Ayes—Messrs. Hoover, Kuhn, Ping, Reed, Stewart and Mr. President.—6.

Adopted.

On motion to suspend the rules,

Mr. Hathaway demanded the ayes and noes.

Noes—Messrs. Ferguson, Hanford and Hathaway.—3.

Ayes—Messrs. Hoover, Kuhn, Ping, Reed, Stewart and Mr. President.—6.

Motion sustained.

The bill was then passed.

Ayes—Messrs. Hanford, Hoover, Kuhn, Ping, Reed.—5.

Noes—Messrs. Ferguson, Hathaway, Stewart, and Mr. President.—4.

Mr. Hoover moved the Clerk be instructed to transmit the bill at once to the House.

Mr. Hathwaay demanded the ayes and noes.

Ayes—Messrs. Hoover, Kuhn, Ping, Reed, and Stewart.—5.

Noes—Messrs. Ferguson, Hanford, Hathaway and Mr. President.—4.

Motion carried.

Mr. Hanford gave notice that on to-morrow he would move to reconsider the vote by which the bill passed at 10 o'clock.

On motion of Mr. Kuhn,

The Council took recess till 2:30 o'clock P. M.

AFTERNOON SESSION.

The Council re-assembled at 2:30 P. M.

The President in the chair, and a quorum present.

Mr. Hoover, by permission introduced,

C. B. 71.—An act authorizing the county commissioners of Chehalis county to appropriate money for the building of bridges.

Which was read twice and referred to committee on Roads and Highways.

Mr. Hoover moved to rescind the rule adopted on Friday, October 26, by which the consideration of House messages was made the general order for each day's business at 2:30 P. M.

Motion carried.

BILLS AND REPORTS.

C. B. 46.—An act relating to Railroads in Washington Teritory.

Was on motion of Mr. Stewart, taken from the report of the committee on Counties, read and ordered to lie on the table.

On motion of Mr. Reed,

The vote was reconsidered, the bill read a third time, amended and ordered engrossed.

The following messages were received.

MESSAGES FROM THE GOVERNOR.

TERRITORY OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, October 30th, 1877.

To the Honorable Council of the Territory of Washington:

I have nominated Thomas H. Brents, of Walla Walla, to

be Territorial Superintendent of Common Schools in and for the Territory of Washington; and respectfully request the Council to consent to his appointment.

E. P. FERRY,
Governor.

TERRITORY OF WASHINGTON, EXECUTIVE DEPARTMENT.
OLYMPIA, *October* 30, 1877.

To the Honorable Council of the Territory of Washington:

I have nominated Elwood Evans, of Thurston County, to be Territorial Librarian in and for the Territory of Washington and respectfully request the Council to consent to his appointment.

E. P. FERRY,
Governor.

On motion of Mr. Hoover,

The message was made the special order for Saturday, Nov. 3d, at 11 A. M.

Mr. Hoover also gave notice that at the same time and place he should call for action upon the message from His Excellency the Governor in which Francis Tarbell was nominated for Territorial Treasurer, agreeably to the resolution by which such nomination was laid on the table in Executive Session held, October 27, 1877.

Mr. Hanford, from committee on Enrolled Bills, reported as correctly enrolled:

C. B. 39.—An act in relation to Notaries Public,

(Mr. Ferguson in the chair.)

C. B. 35.—An Act to amend an act entitled An Act in relation to Licenses.

Was taken from the report of the committee on Education, amended and on question of amendment to make traveling solicitors for wholesale liquor dealers pay a license, Mr. Hanford demanded the ayes and noes.

Ayes—Messrs. Hanford, Hathaway, and Ping.—3.

Noes—Messrs. Ferguson, Kuhn, Hoover, Reed, Stewart, and Mr. President.—6.

The amendment was declared lost.

On motion of Mr. Reed, of Thurston,

The bill was recommitted, to the Judiciary committee.

Mr. Reed, of Pacific, from the committee on Roads and Highways, reported:

MR. PRESIDENT—

Your committee on Roads and Highways, to whom was referred,

C. B. 71.—An act authorizing the County Commissioners of Chehalis county to appropriate money for the construction of Bridges.

Have had the same under consideration, and report it back with recommendation that the same do pass with the amendments recommended.

C. A. REED,
Chairman.

On motion of Mr. Kuhn,

C. B. 11.—An Act to provide for the incorporation of Cities.

Was taken up from the report of the committee on Corporations, read a third time and ordered engrossed.

At 5:10 P. M.,

On motion of Mr. Kuhn,

The Council did adjourn till Wednesday, Oct. 31, at 10 A. M.

T. B. MERRY,
Chief Clerk.

Approved Oct. 31, 1877.
T. M. REED,
President.

COUNCIL CHAMBER,
Wednesday, October 31, 1877.

The Council met at 10 A. M.
The President in the chair.

The roll was called and the following members found to be present:

Messrs. Ferguson, Hanford, Kuhn, Ping, Reed, Hathaway, Stewart and Mr. President—8.

Absent, Mr. Hoover.—1.

Prayer was offered by Rev. J. P. Ludlow.

The Journal of yesterday was read, amended and approved.

Mr. Kuhn asked for and obtained temporary leave of absence for Mr. Hoover, on account of sickness in his family.

On motion of Mr. Hanford,

The rules were suspended and

C. B. 18.—An Act to provide for an official Short-hand Reporter, for the District Courts of Washington Territory.

Was taken from House message.

The Council refused to concur in the amendment of the House.

Noes—Messrs. Ferguson, Hanford, Hathaway, Kuhn, Ping, Reed, Stewart and Mr. President.—8.

A committee of Conference was ordered.

The President appointed, Messrs. Hanford and Kuhn, as such committee.

On motion of Mr. Hanford,

The rules were suspended, and

H. B. 117.—An act extending the time for the equalization of taxes in King county, W. T.

Was taken from House message.

The bill was read twice, amended under suspension of the rules, read third time, considered engrossed and passed.

Ayes—Messrs. Ferguson, Hanford, Hathaway, Kuhn, Ping, Reed, Stewart and Mr. President.—7.

Mr. Ping was called to the chair.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
October 31, 1877.

Mr. PRESIDENT—

I am instructed by the House to inform the Council that there has been introduced

H. B. 109.—An act for the relief of E. P. Boyles, and sureties.

H. B. 110.—An act assigning the Judges of the several Districts in Washington Territory.

H. B. 111.—An act to appropriate money to encourage industrial pursuits in Washington Territory.

H. B. 112.—An act to authorize the county commissioners of Jefferson county to borrow money.

H. B. 113.—An act to amend an act entitled an act in relation to Territorial Auditor, approved Nov. 29, 1871.

H. B. 114.—An act in relation to the location of the county seat of Klickitat county.

Also that the House has passed substitute for,

H. B. 93.—An act in relation to Territorial Treasurer, approved Nov. 29, 1871.

H. B. 67.—An act to provide for taking the census of Washington Territory.

H. B. 94.—An act to amend an act to provide for the indigent mute and blind persons in Washington Territory.

H. M. 12.—Asking that residence upon and cultivation of lands upon the United States, prior to the survey thereof, be made to apply on the time of residence and cultivation required under the homestead and pre-emption law of the United States.

H. B. 13.—Asking an appropriation to erect a Steam whistle and Fog bell on Point Wilson.

And of the introduction and passage of

H. B. 115.—Substitute for

H. B. 32.—An Act to provide for the management of the Territorial Library.

And the same is herewith transmitted and, concurrent action requested.

Also of the passage of

C. B. 61.—An act to authorize the Governor to offer a reward for the arrest of the murderer of Ole Haegenson.

And the same is herewith returned.

And that the Speaker has signed:

H. B. 82.—An act to amend an act relating to Weights and measures,

H. B. 95.—An act providing for the removing the Territorial Library to the Capitol Building.

H. B. 102.—An act for the relief of the P. S. Navigation Company.

H. B. 85.—An act prescribing the number of members comprising the Legislative Assembly of Washington Territory.

H. B. 96.—An act to amend an act to better provide for the maintenance of Common Schools in Jefferson county.

C. B. 39.—An act in relation to Notaries Public.

And the same are herewith transmitted.

Also that the House has passed,

H. J. R. 15.—Relative to an Extra Session of the Legislative Assembly.

H. B. 117.—An act extending the time for the equalization of taxes in King county,

Herewith transmitted for concurrent action.

R. G. O'BRIEN,
Chief Clerk.

REPORTS OF STANDING COMMITTEES.

Mr. Kuhn, from committee on Commerce, reported:

MR. PRESIDENT—

Your committee on Commerce to whom was referred,

C. B. 10.—An act for the protection of Salmon fisheries of Puget Sound and tributary waters.

Have had the same under consideration and have directed me to report the same back with amendment and recommend it do pass as amended.

J. A. KUHN,
Chairman.

Mr. Hanford, from committee on Judiciary, reported:

MR. PRESIDENT—

Your committee on Judiciary to whom was referred,

C. B. 65.—An act to regulate the practice and proceedings in civil actions.

Have had the same under consideration and report the same back, and recommend that it do pass.

C. H. HANFORD,
Chairman.

Mr. Reed, from committee on Roads and Highways, reported:

MR. PRESIDENT—

Your committee on Roads and Highways, to whom was referred,

C. B. 66.—Entitled an act to provide for raising revenue for road purposes in Columbia county.

Have had the same under consideration, and report it back with the recommendation that it do pass.

C. A. REED,
Chairman.

MESSAGE FROM THE GOVERNOR.

TERRITORY OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, OCTOBER 31, 1877.

To the Honorable the Council of the Territory of Washington.

I have the honor to inform you that I have this day approved and signed the following:

An act adopting the Common Law of England.

An act relating to Prosecuting Attorneys and defining their duties and fixing their compensation.

E. P. FERRY,
Governor.

Mr. Reed, from committee on Roads and Highways, reported as follows:

MR. PRESIDENT—

Your committee on Roads and Highways, to whom was referred,

C. B. 50.—Substitute for

C. B. 34.—An Act to amend an act in relation to Ferries, Bridges, Roads and Public Highways.

Have had the same under consideration and report it back with the recommendation that the same do pass.

C. A. REED,
Chairman.

Mr. Reed, from committee on Roads and Highways, reported:

MR. PRESIDENT—

Your committee on Roads and Highways, to whom was referred,

C. B. 68.—Entitled an act in relation to streets and alleys in incorporated towns.

Have had the same under consideration and report the same back with the recommendation that the same do pass.

C. A. REED,
Chairman.

Mr. Reed, of Thurston, from select committee reported:

MR. PRESIDENT—

Your select committee to whom was referred,

C. B. 64.—An act to incorporate the town of Olympia.

Have had the same under consideration, and report the bill back to the Council with amendments as follows:

Amend section 1, act II, by inserting in line three, after the word "Trustees," the words, "and a Town Clerk, and a Marshal," and add to said section the following: Provided, that the town clerk and Marshal may, for good cause shown, be removed from office by a two-third vote of the Trustees, at any regular meeting of the Board; and in case of such removal of said Clerk or Marshal or both, the vacancy or vacancies may be filled by appointment, by the Mayor and concurrence of the Trustees, for the balance of the term for which said Clerk or Marshal was elected." Amended Section 1, act 4, line 3, by inserting the words: "A Clerk and a Marshal," and insert in line 4, the words: "Each of whom," and your committee would recommend that the bill do pass as amended.

T. M. REED,
Chairman.

Mr. President in the chair.

INTRODUCTION OF BILLS.

Mr. Ping introduced,

C. B. 72.—An act for the relief of J. P. Judson,

Bill was read twice and referred to committee on Claims.

C. B. 25.—An act to abolish the office of Coroners and Coroner's juries, and appoint in place thereof permanent medical officers, in each county,

Was taken up and passed.

Ayes—Messrs. Ferguson, Hanford, Hathaway, Kuhn, Ping, Stewart and Mr. President.—7,

Noes—Mr. Reed, of Pacific.—1.

On motion of Mr. Kuhn,

The title was amended by striking out "Coroner's Juries."

C. B. 43.—An act to regulate Marriages,

Was taken up,

Mr. Hanford offered to amend Section one, by striking out 16 and 20, wherever it occurs and inserting 14 and 18 in lieu thereof.

Mr. Kuhn offered to amend the amendment by inserting 15 and 18 in lieu of 14 where 14 occurs.

The amendment as amended was then adopted:

Ayes—Messrs. Ferguson, Hanford, Kuhn, Ping, Reed and Stewart.—6.

Noes—Mr. Hathaway and Mr. President.—2.

Mr. Hathaway offered amendments to Section 14, which were lost.

Bill was read third time and passed:

Ayes—Messrs. Ferguson, Hanford, Hathaway, Kuhn, Ping, Reed, Stewart and Mr. President.—8.

The title of the bill was approved.

At 12:15,

On motion of Mr. Hanford,

The Council took a recess till 2 P. M.

AFTERNOON SESSION.

The Council re-assembled at 2 P. M.

The President in the chair and a quorum present.

Mr. Reed, by leave, called up,

H. B. 91.—An act to amend an act entitled an act to encourage the cultivation of Oysters, approved Nov. 5, 1873.

Which was read twice and

On motion of Mr. Kuhn,

The rules were suspended, the bill read third time, considered engrossed and passed by the following vote:

Ayes—Messrs. Ferguson, Hanford, Hathaway, Kuhn, Ping, Reed, Stewart, and Mr. President.—8.

Title read and approved.

BILLS AND REPORTS.

Mr. Kuhn moved to take up,

C. B. 28.—An act to amend an act entitled an act relative to crimes and punishments and proceedings in criminal cases, approved Nov. 10, 1873,

Which was taken from the report of the Judiciary Committee, read third time and passed under suspension of the rules by the following vote:

Ayes—Messrs. Hanford, Hathaway, Kuhn, Ping, Reed and Mr. President.—6.

Noes—Messrs. Ferguson and Stewart.—2.

Title approved.

H. B. 58.—An act to repeal an act to amend an act entitled an act in relation to Quartz mining claims, approved November 12, 1875.

Was read third time, the rules suspended, considered engrossed and passed by the following vote:

Ayes—Messrs. Ferguson, Hanford, Hathaway, Kuhn, Ping, Stewart and Mr. President.—7.

Excused—Mr. Reed, of Pacific.—1.

Title read and approved.

C. B. 65.—An act to regulate the practice and proceedings in civil actions,

Was taken from the report of Judiciary committee, read third time, considered engrossed under suspension of rules and passed bythe following vote:

Ayes—Messrs. Ferguson, Hanford, Kuhn, Ping, Reed, Hathaway, Stewart and Mr. President.—8.

The title of the bill was read and approved.

C. B. 46.—An Act concerning Railroads in Washington Territory.

Reported correctly engrossed.

Was called up by Mr. Stewart, read a third time and

On motion of Mr. Ping,

Laid on the table.

H. B. 27.—An act to amend an act entitled an act to incorporate the city of Walla Walla,

Was taken up, read twice and amended.

On motion of Mr. Hanford,

The rules were suspended, the bill read third time, considered engrossed and passed by the following vote:

Ayes—Messrs. Ferguson, Hanford, Hathaway, Kuhn, Ping, Stewart and Mr. President.—8.

Title approved.

C. B. 60.—An act to amend the Charter of the city of Seattle,

Was taken from the report of the committee on Corporations and read a third time.

On motion of Mr. Ferguson,

The rules were suspended, the bill considered engrossed and passed by the following vote:

Ayes—Messrs. Hanford, Hathaway, Kuhn, Ping, Reed, Stewart, Ferguson and Mr. President.—7.

Title read and approved.

(Mr. Ferguson in the chair.)

C. B. 64.—An act to incorporate the town of Olympia.

On motion of Mr. Reed, of Thurston,

Was taken from the report of Select Committee to whom it was referred, the amendment of the committee adopted, read third time, considered engrossed and passed by the following vote:

Ayes—Messrs. Ferguson, Hanford, Hathaway, Kuhn, Ping, Reed, Stewart and Mr. President.—8.

Title approved.

C. M. 7.—Relative to extending the time for holding the Sessions of the Legislative Assembly.

Was taken up from report of committee on Memorials, read third time, considered engrossed and passed by the following vote:

Ayes—Messrs. Ferguson, Hanford, Hathaway, Ping, Reed, Stewart and Mr. President.—7.

Title approved.

Substitute for

H. B. 29.—An Act to amend an act entitled an act concerning Marks and Brands in certain counties of Washington Territory, approved November 12, 1875.

Was taken up, read third time, the rules suspended, bill considered engrossed and passed by the following vote:

Ayes—Messrs. Hanford, Hathaway, Kuhn, Reed, Stewart, Ferguson, Ping, and Mr. President.—8.

The title of the bill was read and approved.

C. B. 31.—An Act to provide for the codification of the Laws of Washington Territory.

Was taken from the report of the committee on Engrossed Bills, read third time and passed.

Ayes—Messrs. Hanford, Hathaway, Ping, Reed, Stewart, and Mr. President.—6.

Noes—Messrs. Ferguson and Kuhn.—2.

Title read and approved.

On motion of Mr. Hanford,

H. B. 76.—An act to amend an act entitled an act relative to attorneys and counsellors at law.

Was taken up and considered.

Mr. Kuhn moved to strike out the word "Male" wherever it occurred in the bill.

Mr. Hanford demanded the ayes and noes.

Ayes—Messrs. Ferguson, Hanford, Kuhn, Ping, Reed, Hathaway, Stewart and Mr. President.—8.

The Clerk was instructed to strike out the word "the" and insert "they" in place thereof, and make such other alterations in the Grammar of the bill as was necessary.

The bill was then read third time under suspension of the rules, and passed by the following vote:

Ayes—Messrs. Ferguson, Hanford, Stewart, Kuhn, Ping Hathaway, Reed, and Mr. President.—8.

Title read and approved.

H. B. 67.—An Act to provide for taking the Census of Washington Territory.

On motion of Mr. Ping,

Was taken from House message, read twice and referred to committee on Counties.

Mr. Hanford offered the following resolution:

Resolved, By the Council, that no member shall be permitted to speak longer than five (5) minutes at one time, or to speak more than twice upon any question, without unanimous consent of the Council.

The resolution was adopted.

At 5 o'clock P. M.

The Council did adjourn until to-morrow at 9:30 A. M.

T. B. MERRY,
Chief Clerk.

Approved November 1, 1877,
T. M. REED,
President.

COUNCIL CHAMBER,
Thursday, November 1, 1877.

The Council met at 10 A. M.

The President in the chair.

The roll was called and the following members found to be present:

Messrs. Hanford, Kuhn, Ping, Reed, Hathaway, Stewart and Mr. President.—7.

Prayer was offered by Rev. J. R. Thompson.

The Journal of yesterday was read, amended and approved.

President entered, took the chair and was reckoned as present.

Mr. Kuhn asked and obtained leave of absence for Mr. Ferguson, on account of sickness in his family.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
November 1, 1877.

MR. PRESIDENT—

I am instructed by the House to inform the Council that the House has passed,

H. B. 106.—An act regulating Salmon Fisheries in the waters of the Columbia river.

H. B. 118. Substitute for

H. B. 107.—An act to encourage the establishment of hatching-houses on the waters of the Columbia River for the propagation of salmon.

Also that the House has introduced,

Substitute for

H. B. 10.—An Act to amend an Act entitled An Act to provide for the Assessing and Collecting of County and Territorial Revenue, approved Nov. 12, 1875.

And herewith transmit the same.

WILLIAM HUGHES,
Chief Clerk, pro tem.

On motion of Mr. Stewart,

The rules were suspended, and,

C. B. 46.—An act relating to Railroads in Washington Teritory.

Was taken up out of its regular order.

On motion of Mr. Hathaway,

Consideration of the bill was made special order for 2 o'clock P. M., of this day.

REPORTS OF STANDING COMMITTEES.

Mr. Hathaway, from committee on claims, reported:

MR. PRESIDENT—

Your committee on claims to whom was referred,

C. B. 70.—An act for the relief of William Billings.

Have had the same under consideration, and report it back with recommendation that it do pass.

M. R. HATHAWAY,
Chairman.

Mr. Hathaway, from committee on Education, reported:

MR. PRESIDENT—

Your committee on Education to whom was referred,

C. B. 62.—An act to provide funds to maintain free common schools.

Have had the same under consideration and report the same back with a recommendation that it do pass with amendment.

M. R. HATHAWAY,
Chairman.

Mr. C. A. Reed, from committee on counties, reported:

MR. PRESIDENT—

Your committee on Counties to whom was referred,

H. B. 67.—An act to provide for taking the census of Washington Territory,

Have had the same under consideration and report the same back without recommendation.

C. A. REED,
Chairman.

Mr. C. A. Reed, from committee on Roads and Highways, reported as follows:

MR. PRESIDENT—

Your committee on Roads and Highways to whom was referred, the Petition of the people of Willapa Valley, asking for the appropriation of money in aid of the construction of a road from Willapa River, in Pacific county, to Chehalis Station, in Lewis county,

Have had the same under consideration and report the same back with bill and recommend that the same do pass.

C. A. REED,
Chairman.

The bill accompanying the report, (C. B. 73),

Was read twice and referred to committee on Judiciary.

Mr. Kuhn, from committee on Engrossed Bills, reported as correctly engrossed:

C. B. 11.—An act to provide for the incorporation of cities.

The Clerk was instructed to ask the House for the return of

H. B. 91.—An act to amend an act to encourage the cultivation of Oysters, approved Nov. 5, 1873.

And the bill being returned by the House,

On motion of Mr. Hanford,

The vote by which it was read third time was reconsidered.

On motion of Mr. Reed,

The bill was re-committed to committee on Commerce.

C. B. 11.—An act to provide for the incorporation of cities.

Having been engrossed was taken up and passed,

Ayes—Messrs. Hanford, Hathaway, Kuhn, Ping, Stewart, Reed and Mr. President.—7.

On motion of Mr. Hanford,

The House messages were taken up.

On motion of Mr. Hathaway,

H. J. R. 15—Relative to extra session of the Legislature,

Was taken up and read twice.

Mr. Hathaway moved to strike out "ten" from the resolution wherever it occurs and insert "fifteen" in lieu thereof.

The amendment was adopted.

The resolution passed.

Ayes—Messrs. Hanford, Hathaway, Reed, Stewart, and Mr. President.—5.

Noes—Mr. Ping.—1.

H. B. 79.—An act to protect forest and timber lands from fire, and to punish the unlawful and careless kindling of fires.

Was read twice and,

On motion of Mr. Hanford,

The rules were suspended, bill read third time, considered engrossed and passed.

Ayes—Messrs. Hanford, Kuhn, Ping, Reed, Stewart, and Mr. President.—6.

H. B. 47.—An act in relation to foreign corporations.

Was taken up, read twice and laid on the table subject to call from the House.

H. M. 9.—Relative to the establishment of a Land Office at Port Townsend,

Read twice and referred to committee on commerce.

H. M. 11.—Praying for vessels of war to be stationed on Puget Sound.

Was read twice and,

On motion of Mr. Hanford,

The rules were suspended, read third time, considered engrossed and passed.

Ayes—Messrs. Hanford, Hathaway, Kuhn, Ping, Reed, Stewart and Mr. President.—7.

On motion of Mr. Hanford,

The Clerk was instructed to request the Territorial Secretary to send certified copies of

H. M. 11.—Praying for vessels of war to be stationed on Puget Sound.

To General Sherman the Secretary of the Navy, and Hon. Orange Jacobs, also to his Excellency the President of the United States.

H. B. 93.—An act in relation to Territorial Treasurer, approved Nov. 29, 1871.

Mr. Kuhn moved to amend Section third of the bill by striking out fifteen hundred wherever it occurs and inserting one thousand dollars to include office rent, fuel and all incidental expenses.

Adopted.

On motion of Mr. Hathaway the rules were suspended, bill read third time and passed.

Ayes—Messrs. Hanford, Hathaway, Kuhn, Ping, Reed, Stewart and Mr. President.—7.

Mr. Kuhn moved that two hundred copies of report of Superintendent of Common Schools be provided,

Motion carried.

On motion of Mr. Hanford,

Council took recess till 3 P. M.

AFTERNOON SESSION.

The Council was called to order at 3 P. M., by the Chief Clerk in the absence of the President.

Nominations of temporary President being in order.

Mr. Stewart nominated Mr. Hathaway, who took the chair.

There being no quorum present.

Mr. Stewart moved a call of the Council.

Motion carried.

The roll being called, the following members were found present:

Messrs. Hathaway, Kuhn, Reed and Stewart.—4.

Absent—Messrs. Hanford, Hoover, Ping and Mr. President.—4.

The Sergeant-at-Arms was ordered to bring in the absentees, pending which,

The Council took a recess of ten minutes.

The roll was again called.

Present—Messrs. Hanford, Hathaway, Hoover, Kuhn, Ping, Reed and Stewart.—7.

Absent—Mr. President.—1.

On motion of Mr. Stewart,

Further proceedings under the call was dispensed with.

The Special Order of the day was then taken up.

C. B. 46.—An act relating to railroads in Washington Territory.

On motion of Mr. Ping,

The bill was laid on the table till after the arrival of the President, provided he arrive by 4:30 P. M.

On motion of Mr. Reed,

H. B. 118.—Substitute for,

H. B. 107.—An act providing a revenue to assist the Oregon and Washington Fish Propagating Company.

Was taken up and read twice, (Mr. President in the chair).

On motion of Mr. Reed,

Section 2 of the bill was amended by striking out the word "twenty-five" in line 12, and inserting "ten" in its stead.

On motion of Mr. Hathaway,

The rules were suspended, the bill read third time, considered engrossed and passed:

Ayes—Messrs. Hathaway, Hanford, Hoover, Kuhn, Ping, Reed, Stewart and Mr. President.—7.

Title approved.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
November 1, 1877.

MR. PRESIDENT—

I am instructed by the House to inform the Council.

H. J. R. 15.—Relative to an Extra session of the Legislative Assembly.

Was transmitted to the Council through mistake and before a final disposition of it in the House.

The House has amended said resolution in accordance with that suggested by the Council,

And it is herewith transmitted, requesting concurrent action.

And that the Speaker has signed the following bills reported correctly enrolled:

H. B. 35.—An act defining the rights of jurors.

H. M. 10.—Relative to authority being given the resident Inspector of Customs, residing on San Juan Island to enter and clear vessels.

H. J. R. 14.—Relative to Joint Convention of both Houses to give audience to the Sub Committee of Portland Board of Trade.

And the same are herewith transmitted for your signature.

Also that there has been introduced:

H. B. 119.—An act relating to Estrays.

H. B. 120.—An act to authorize the Commissioners of Clarke county, to levy an annual tax for school purposes.

H. B. 121.—An act fixing the rate to be paid for Public Printing and auditing the accounts of public printer.

H. B. 122.—An act defining the boundary of Pierce county.

H. B. 123.—An act prescribing the tenure of office in Washington Territory.

H. B. 126.—An act to amend an act entitled an act defining lawful fences in Yakima and Whitman counties, W. T.

Herewith transmitted for your consideration.

R. G. O'BRIEN,
Chief Clerk.

H. B. 106.—An act regulating Salmon Fisheries in the waters of the Columbia river.

Was taken from House message, read twice and

On motion of Mr. Reed,

Was referred to committee on Commerce.

(Mr. Kuhn in the chair.)

SPECIAL ORDER.

C. B. 46.—An act relating to railroads in Washington Territory,

Was taken up and

On motion of Mr. Kuhn,

The vote by which the bill went to engrossment was reconsidered.

Mr. Hathaway moved to strike out Section 3, of the bill, and on this question demanded the ayes and noes.

Ayes—Messrs. Hanford, Hathaway, Reed, and Stewart.—4.

Noes—Messrs. Hoover, Kuhn, and Ping.—3.

Mr. Stewart moved to amend Section one by striking out the word "sixteen" in line 26, and inserting "twenty" in its place.

Mr. Ping moved to further amend by inserting "twenty-two and a half," which was adopted.

On motion of Mr. Hathaway,

The bill was read third time, considered engrossed and placed upon its passage.

Mr. Reed, of Thurston, asked to be excused from voting.

Mr. Stewart moved to excuse Mr. Reed, of Thurston, and Mr. Hanford demanded the ayes and noes upon this question.

Ayes—Messrs. Hathaway, Hoover, Kuhn, Reed, and Stewart.—5.

Noes—Messrs. Hanford and Ping.—2.

The question recurring on the passage of the bill, the roll was called.

Ayes—Messrs. Hathaway, Kuhn, Reed, and Stewart.—4.

Noes—Messrs. Hanford, Hoover, and Ping.—3.

The title of the bill was read and approved.

H. J. R. 15.—Relative to an extra session of the Legislative Assembly.

Was taken from the House message, read three times and passed under suspension of the rules.

Ayes—Messrs. Hanford, Hathaway, Kuhn, Ping and Mr. President.—5.

Noes—Messrs. Hoover and Reed.—2.

The President announced that he had signed.

H. B. 35.—An Act defining the rights of Jurors in Washington Territory.

H. M. 10.—Relative to allowing Inspectors of Customs on San Juan Island to enter and clear vessels,

H. J. R. 14.—Relative to Joint Convention of both Houses to give audience to the sub-committee of the Portland Board of Trade.

On motion of Mr. Kuhn,

C. B. 57.—An act to provide for calling a convention to frame a Constitution for a State of Washington and submitting the same to the people for ratification or rejection,

Was taken from the report of the committee on Federal Relations and,

Mr. Kuhn moved to amend Section 5, by adding thereto the following:

And if a vacancy shall occur in any district after said election, by death, resignation or otherwise, the convention shall fill the same from among the electors of the district in which such vacancy exists.

Mr. Hanford moved to amend the amendment by striking out all after the word "same" and inserting as follows: "By appointing the person having the next highest vote to the one first chosen in said district."

The amendment as amended was adopted.

The bill was then read third time, considered engrossed and passed.

Ayes—Messrs. Hanford, Hathaway, Hoover, Kuhn, Ping, Reed, Stewart and Mr. President.—8.

Title approved.

C. B. 71.—An act authorizing the Commissioners of Chehalis county to appropriate money for the building of bridges,

Was taken up and the amendments recommended by the committee on Roads and Highways were adopted.

On motion of Mr. Hoover,

The rules were suspended, the bill read third time, considered engrossed, and passed.

Ayes—Messrs. Hanford, Hathaway, Kuhn, Ping, Stewart, Reed, Hoover and Mr. President.—8.

Title approved.

On motion of Mr. Hanford,

C. B. 32.—An act to provide for the assessing and collecting of county and Territorial revenue,

Was made the special order of the day for to-morrow at 10:30 A. M.

On motion of Mr. Hathaway,

C. B. 62.—An act to provide for the maintenance of free Schools.

Was taken up and

On motion of Mr. Kuhn,

Re-committed to committee on Education.

At 5:50,

On motion of Mr. Ping,

H. B. 123.—An act prescribing the Tenure of office in Washington Territory.

H. B. 124.—An act for the relief of Henry L. Chapman and others.

H. B. 125.—An act to provide for the Storage and Transportation of Arms.

H. B. 126.—An act to amend an act entitled an act defining lawful fences in Yakima and Whitman counties.

H. B. 127.—An act to permanently locate the county seat of Pierce county, W. T.

And that the House has passed.

The Council did adjourn till Friday, Nov. 2, at 10 A. M.

T. B. MERRY,
Chief Clerk.

Approved November 2, 1877,
T. M. REED,
President.

COUNCIL CHAMBER,
Friday, November 2, 1877.

The Council met at 10 A. M.

The President in the chair.

The roll was called and the following members found to be present:

Messrs. Hanford, Kuhn, Ping, Reed, Hathaway, Stewart Hoover and Mr. President.—8.

Prayer was offered by Rev. J. R. Thompson.

The Journal of yesterday was read, amended and approved.

REPORTS OF STANDING COMMITTEES.

Mr. Hanford, from Judiciary committee, reported:

MR. PRESIDENT—

Your committee on Judiciary to whom was referred,

C. B. 35.—An Act to amend an act entitled An Act in relation to Licenses.

Have had the same under consideration and report the same back with recommendation that it do pass without amendment.

C. H. HANFORD,
Chairman.

Mr. Kuhn, from committee on Commerce, reported:

MR. PRESIDENT—

Your committee on Commerce to whom was referred,

H. B. 91.—An act to amend an act entitled an act to encourage the cultivation of Oysters, approved Nov. 5, 1873.

Have had the same under consideration and report it back with amendment, and when so amended recommend its passage.

Also report,

H. M. 9.—Relative to the establishment of a Land Office at Port Townsend.

And recommend its passage.

J. A. KUHN,
Chairman.

Mr. Reed, from committee on Counties, reported:

MR. PRESIDENT—

Your committee on Counties to whom was referred,

C. B. 41.—An act for the removal of civil officers otherwise than by impeachment.

Have had the same under consideration, and report the same back with the amendment herewith submitted, and recommend that it be incorporated in the original bill as section fifteen, and that the bill as amended do pass.

C. A. REED,
Chairman.

Mr. Hanford, from Select Committee on Conference, reported.

MR. PRESIDENT—

Your committee of Conference on,

C. B. 18.—An act to provide for the appointment of a Short Hand Reporter for the District Courts.

Have had the same under consideration and report the same back and recommend that the House amendments to Sections 1 and 8, be concurred in by the Council, and that the House amendments to Section 6, of said bill be not concurred in by the Council, and that the House recede from said amendment to Section 6.

C. H. HANFORD,

Chairman of Committee on part of Council.

C. B. 18.—An act to provide for an Official Short Hand Reporter for the District Courts of Washington Territory,

Was taken from report of Special committee of Conference, and amendments to Sections 1 and 8, concurred in, and amendment to Section 6, adopted as recommended by committee.

The question recurring on the passage of the bill as amended:

Ayes—Messrs. Hanford, Hathaway, Hoover, Kuhn, Ping, Reed, Stewart and Mr. President.—8.

Passed.

Mr. Reed, of Pacific, by leave, called up,

H. B. 91.—An act to amend an act entitled an act to encourage the cultivation of Oysters, approved Nov. 5, 1873.

Was taken up and amended as reported by committee.

On motion of Mr. Kuhn,

The bill was read third time, rules suspended, considered engrossed and passed.

Ayes—Messrs. Hanford, Hoover, Kuhn, Ping, Reed, Stewart and Mr. President.—7.

The title was approved.

INTRODUCTION OF BILLS.

Mr. Hanford introduced,

C. B. 74.—An act to amend an act entitled an act relating to crimes and punishments and proceedings in criminal cases.

Bill was read twice and referred to committee on Printing, and one hundred copies ordered printed.

MESSAGE FROM THE GOVERNOR.

TERRITORY OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, November 2d, 1877.

To the Honorable Council of the Territory of Washington:

I have the honor to inform you that I have approved and signed,

An act in relation to Notaries Public.

E. P. FERRY,
Governor.

SPECIAL ORDER OF THE DAY.

C. B. 32.—An act to provide for assessing and collecting County and Territorial Revenue,

Was taken up,

Mr. Kuhn moved to amend by striking out all of the bill between sections thirty and forty inclusive.

Mr. Hanford moved to amend further by striking out all from section thirty-two to forty, inclusive.

Motion carried.

The amendment as amended was adopted.

On motion of Mr. Hoover,

The bill was recommitted to Judiciary committee.

C. B. 37.—An act to amend an act entitled an act defining the jurisdiction and practice in the Probate Courts of Washington Territory,

Was taken up and read for information, and

Mr. Kuhn moved to amend Section 1, to read on the fourth Monday of January, March, May, July, September and November.

Adopted.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
November 2, 1877.

MR. PRESIDENT—

I am instructed by the House to inform the Council that the House has passed,

H. M. 14.—In relation to certain lands in Washington Territory.

H. M. 15.—Praying for a Geological Survey of Washington Territory.

H. B. 57.—To provide a system for Common Schools.

H. B. 90.—An act defining the boundary between the county of Island and the counties of San Juan, Whatcom and Snohomish,

Herewith transmitted requesting concurrent action.

And that the House has concurred in the amendment o the Council to

H. B. 27.—An act to amend an act to incorporate the city of Walla Walla.

R. G. O'BRIEN,
Chief Clerk.

On motion of Mr. Hoover,

Council took recess till 1:30 P. M.

AFTERNOON SESSION.

The Council met at 2 P. M.

The President in the chair.

C. B. 37.—An Act to amend an act entitled an act defining the jurisdiction and practice in the Probate courts of Washington Territory, approved Nov. 11, 1873.

Being under consideration, was amended, read third time,

On motion of Mr. Hoover,

The rules were suspended, bill considered engrossed, and passed by the following vote:

Ayes—Messrs. Hanford, Hathaway, Hoover, Kuhn, Ping, Reed, Stewart and Mr. President.—8.

Title approved.

C. B. 35.—An act to amend an act entitled an act in relation to licenses.

Was taken from the report of the committee on Education, read third time and ordered engrossed.

H. B. 56.—An act declaring Samamish Slough navigable.

Was taken from the report of committee on Commerce, amended by striking out the word "navigable" in section one, and inserting the words "a public highway."

The bill having been read a third time,

Mr. Kuhn moved the rules be suspended, the bill considered engrossed and placed upon its passage.

Which was carried by the following vote:

Ayes—Messrs. Hanford, Hathaway, Hoover, Kuhn, Ping, Reed, Stewart and Mr. President.—8.

Title amended.

H. B. 67.—An act to provide for taking the census of Washington Territory.

Was taken from the report of the committee on counties, read third time and passed.

Ayes—Messrs. Hanford, Hathaway, Hoover, Ping, Reed, Stewart and Mr. President.—7.

Title approved.

Mr. Hoover, by permission, made the following report:

MR. PRESIDENT—

Your committee on ways and means to whom was referred,

C. B. 69.—An act to make the Territorial Treasurer *ex-*

officio Custodian of the Capitol building and property belonging thereto.

Have had the same under consideration and report it back with a substitute and recommend the adoption of the substitute.

J. HOOVER,
Chairman.

C. B. 75.—Substitute for:

C. B. 69.—An act to make the Territorial Librarian *ex-officio* Custodian of the capitol building and property appurtenant thereto,

Reported by committee on Ways and Means, was read twice,

On motion of Mr. Hoover,

The rules were suspended and bill read third time.

Mr. Ping moved to lay the bill on the table.

Motion lost.

On motion of Mr. Kuhn,

The bill was considered engrossed and passed:

Ayes—Messrs. Hanford, Hathaway, Hoover, Kuhn, Reed and Mr. President.—6.

Noes—Messrs. Ping, and Stewart.—2.

Title approved.

Substitute for

H. B. 66.—An act to amend an act entitled an act to provide for Pilots for the Straits of San Juan de Fuca,

Was taken from the report of the committee on Commerce, amended, read third time and passed by the following vote:

Ayes—Messrs. Hanford, Hathaway, Hoover, Kuhn, Ping, Reed, Stewart and Mr. President.—8.

Title approved.

Substitute for

C. B. 13.—An act to amend an act entitled an act to authorize the construction of ditches, flumes or water-courses, approved Nov. 12, 1875,

Was taken up,

The question being, "Shall the Council concur in the amendment of the House to the bill?"

Mr. Hoover moved the Council concur,

Motion carried.

H. B. 99.—An act relating to Road Districts in San Juan county,

Was taken from report of committee on Roads and Highways, and read third time.

On motion of Mr. Kuhn,

The rules were suspended and the bill passed:

Ayes—Messrs. Hanford, Hathaway, Kuhn, Ping, Stewart, Reed, Hoover and Mr. President.—8.

Title approved.

H. B. 73.—An act to repeal an act entitled an act establishing a uniform Standard of Weights and Measures, approved December 2, 1869,

Was taken from the report of committee on Agriculture, and placed at the foot of the file.

C. B. 68.—An act in relation to Streets and Highways in unincorporated towns,

Was taken from report of committee on Roads and Highways, read third time, considered engrossed and passed.

Ayes—Messrs. Hanford, Hathaway, Hoover, Kuhn, Ping, Reed, and Mr. President.—8.

Title read and approved.

C. B. 50.—Substitute for

C. B. 34.—An act to amend an act in relation to Roads, Ferries, Bridges, and Public Highways.

Was taken from the report of the committee on Roads and Highways, read a third time.

Mr. Reed moved a suspension of the rules, that the bill be considered engrossed and placed upon its passage.

Motion carried.

The question being on the passage of the bill, the roll was called with the following result:

Ayes—Messrs. Hanford, Hathaway, Hoover, Kuhn, Ping, Reed, Stewart and Mr. President.—8.

The President declared the bill passed and its title approved.

At 4:35 P. M.

On motion of Mr. Ping,

The Council did adjourn till Saturday, November 3d, 1877, at 10 o'clock A. M.

T. B. MERRY,
Chief Clerk.

Approved November 3, 1877,
T. M. REED,
President.

COUNCIL CHAMBER,
Saturday, November 3, 1877.

The Council met at 10 A. M.
The President in the chair.

The roll was called and the following members found to be present:

Messrs. Hanford, Kuhn, Ping, Reed, Hathaway, Stewart Hoover and Mr. President.—8.

Prayer was offered by Rev. J. R. Thompson.

The Journal of yesterday was read, amended and approved.

REPORTS OF STANDING COMMITTEES.

Mr. Hanford, from committee on Enrolled Bills, reported as properly enrolled:

C. B. 13.—An act to amend an act entitled an act to authorize the construction of ditches, &c.

C. B. 27.—An act to provide for the appointment of county Assessor of Pierce county, &c.

C. B. 42.—An act to disincorporate the town of Tumwater.

C. B. 45.—An act to provide for the election of Justices of the Peace in case of vacancy.

C. B. 48.—An act in relation to Commissioners of Deeds.

C. B. 56.—An act in relation to collection of Licenses in the cities of Tacoma and Steilacoom.

C. B. 61.—An act to authorize the Governor to offer a reward for the arrest of the murderer of Ole Hagenson.

And the same are herewith submitted.

C. H. HANFORD,
Chairman.

Mr. Hanford, from committee on Judiciary, reported:

MR. PRESIDENT—

Your committee on Judiciary to whom was referred,

C. B. 73.—An act to locate a Territorial Road from Willopa River, in Pacific county to Chehalis Station, in Lewis county,

Have had the same under consideration and report the same back with amendments, and a majority of your committee recommend that when so amended the bill do pass.

J. A. KUHN,
C. H. HANFORD,
Of the Committee.

Mr. Kuhn, from committee on Commerce reported;

MR. PRESIDENT—

Your committee on Commerce to whom was referred,

H. B. 106.—An act regulating Salmon Fisheries in the waters of the Columbia river.

Have had the same under consideration, and report the same back with amendment, and recommend it pass as amended.

J. A. KUHN,
Chairman.

Mr. Hoover, from committee on Printing, reported:

MR. PRESIDENT—

Your committee on Printing to whom was referred,

C. B. 74.—An act to amend an act entitled an act relating to crimes and punishments and proceedings in criminal cases.

Have had the same under consideration, and report the same back as correctly printed.

J. HOOVER,
Chairman.

Mr. Kuhn, from select committee, to ascertain the cost of printing five thousand copies of the address of Elwood Evans, reported by bill.

Mr. Kuhn, from committee on engrossed bills, reported as properly engrossed.

C. B. 36.—An Act to amend An Act in relation to Licenses, Approved November 13, 1873.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
November 3, 1877.

MR. PRESIDENT—

I am instructed by the House to inform the Council that the House has passed substitute for,

H. B. 10.—An act to amend an act entitled an act to provide for the assessing and collecting of county and Territorial revenue, approved November 12, 1875.

H. B. 34.—An act to amend an act entitled an act to establish the amount and provide for the payment of costs in certain cases, approved December 2d, 1869.

H. B. 59.—An Act to amend Section 33, of Chapter III, of an act entitled an act defining jurisdiction and practice in the Probate Courts of Washington Territory.

H. B. 69.—An Act providing for the proper confinement of Territorial Convicts.

H. B. 83.—An act to amend an act entitled an act relative to Crimes and Punishments, and proceedings in criminal cases, approved November 10, 1873.

H. B. 104.—An act for the relief of Fred S. Holmes.

H. B. 105.—An act to amend an act entitled an act relative to

crimes and punishments and proceedings in criminal cases, approved November 10, 1873.

H. B. 109.—An act for the relief of Ezra P. Boyles, Treasurer of Yakima county, and others.

H. B. 112.—An act to authorize the county commissioners of Jefferson county to borrow money.

H. B. 113.—An act to amend an act entitled an act in relation to Territorial Auditor, approved Nov. 29, 1871.

H. B. 114.—An act in relation to the location of the county seat of Klickitat county.

Therewith transmitted for your consideration.

H. B. 108.—Substitute for

C. B. 19.—An Act to apportion the Legislative Assembly.

Reported back from the Council with amendments, has received the consideration of the House, the House refuses to concur in the Council amendments and requests the appointment of a committee of conference to act with a committee of the House, consisting of Messrs. La Du, Horr and Ringer.

Also that the House has passed.

C. B. 40.—An act to amend an act defining Nuisance and securing remedies,

And the same is herewith transmitted.

And that the House has receded from their amendment to section 6, and concur in the Council amendment to,

C. B. 18.—An Act to provide for an official Short-hand Reporter, for the District Courts of Washington Territory.

And the same is herewith returned

And the House has concurred in Council amendment to,

H. J. R. 12.—Relative to New Business.

R. G. O'BRIEN,
Chief Clerk.

INTRODUCTION OF BILLS.

Mr. Hanford introduced,

C. B. 76.—An act to enable counties to borrow money.

Bill was read twice, and referred to committee on ways and means, also,

C. B. 77.—An act prescribing prison regulations.

Read first time and laid on the table, also,

C. B. 78.—An act to provide revenue for the protection of Salmon in the waters of Puget Sound and its tributaries.

Was read first time and laid on the table, also,

C. B. 79.—An act to appropriate money for the University

of Washington Territory, and to provide for free scholarships in said University.

Read first time and laid on table.

C. B. 80.—An act in relation to a Territorial Board of Equalization,

Read first time and laid on table, also

C. B. 81.—An act to provide for the recovery of certain money raised to aid in the construction of a wagon road across the Cascade Mountains,

Read first time and laid on table.

Mr. Stewart introduced

C. B. 82.—An act for the protection of quails in Walla Walla, Columbia and Whitman counties,

Was read twice, and

On motion of Mr. Hanford,

The rules were suspended, the bill read third time, considered engrossed and passed,

Ayes—Messrs. Hanford, Hoover, Kuhn, Ping, Reed, Stewart and Mr. President.—7.

Mr. Hoover introduced,

C. B. 83.—An act to define the duties of Territorial Librarian, also

C. B. 84.—An act to locate the county seat of Chehalis county at its present site or near there.

C. B. 85.—An act in relation to Divorce and Alimony,

Bill was read twice and referred to Judiciary committee.

Mr. Kuhn introduced,

C. B. 86.—An act to provide for printing certain pamphlets, etc,

The bill was read twice and

On motion of Mr. Kuhn,

The bill was read third time and passed:

Ayes—Messrs. Hanford, Hathaway, Hoover, Kuhn, Reed and Mr. President.—6.

Noes—Messrs. Ping and Stewart.—2.

C. B. 87.—An act to repeal certain Sections of acts and certain Acts, relating to the incorporation of the city or town of Port Townsend, Jefferson county, Washington Territory.

Bill was read twice and referred to committee on Military Affairs.

Messrs. Hoover and Reed, of Pacific, changed their votes on the House Joint Resolution 15, to ayes.

Mr. Reed, of Thurston, introduced,

C. B. 88.—An act for the establishment and maintenance of an asylum for the Insane and Idiotic in Washington Territory.

Bill was read first time and laid on the table.

Mr. Stewart introduced,

C. B. 89.—An act to amend an act entitled an act to fix the time of holding terms of the District and Supreme Courts.

Bill was read first time and laid on the table.

Mr. Hoover introduced,

C. B. 90.—An act to provide for the election of County and District officers in Washington Territory.

Which was read first time and laid on the table.

EXECUTIVE SESSION.

The hour, 11:30 A. M., having arrived, for the consideration of the messages of his Excellency, the Governor, nominating Elwood Evans to be Territorial Librarian, Thomas H. Brents for Superintendent of Common Schools, and Francis Tarbell for Territorial Treasurer, according to resolution previously adopted.

Mr. Hanford moved the Council do now go into executive session.

The motion being carried, the Clerk closed the doors.

The message of the Governor nominating Elwood Evans to be Territorial Librarian, was taken up, and the question being "Shall the Council consent to the appointment," the nomination was confirmed by unanimous vote.

The nomination of Thomas H. Brents to be Territorial Superintendent of Common Schools was rejected.

Mr. Hathaway gave notice that on Monday next he would move a reconsideration of the vote by which said nomination was rejected.

On motion of Mr. Hoover,

The Council adjourned from executive session.

On resolving into open session the Council took a recess till 2 o'clock P. M.

AFTERNOON SESSION.

The Council reassembled at 2 P. M., a quorum present and the President in the chair.

Introduction of bills being still in order,

Mr. Hathaway introduced,

C. M. 8.—Asking for removal of restrictions upon Foreign Capital, imposed by the Organic act of the Territory.

Which was read twice and referred to committee on Ways and Means.

Mr. Kuhn introduced,

C. B. 91.—An act declaring the streets in Port Townsend to be public highways.

Which was read once and laid on the table.

Mr. Hoover introduced,

C. B. 92.—An act for the relief of J. R. Thompson, D. N. Utter, J. P. Ludlow, aud A. Atwood.

Which was read twice and,

On motion of Mr. Hathaway,

The rules were suspended, the bill read third time, considered engrossed and passed by the following vote:

Ayes—Messrs. Hanford, Hathaway, Hoover, Reed, Ping, and Mr. President.—6.

Noes—Mr. Kuhn.—1.

The bill was read and approved.

Mr. Hoover also introduced:

C. B. 93.—An act in relation to the duties of Territorial Auditor,

Which was read first time and laid on the table.

Mr. Stewart introduced:

C. B. 94.—An act defining incompatibility and impotency,

Which was read first time and laid on the table.

REPORTS OF STANDING COMMITTEES.

Mr. Hoover, by unanimous consent, made the following report:

MR. PRESIDENT—

A majority of the Judiciary committee, to whom was referred:

C. B. 85.—An act in relation to divorces,

Having had the same under consideration, report it back with recommendation that it do pass.

J. HOOVER,
J. A. KUHN,
Of Committee.

MR. PRESIDENT—

Your committee on Ways and Means, to whom was referred:

C. B. 76.—An act to enable counties to borrow money,

Have had the same under consideration and report it back with amendments, recommending its passage as amended.

J. HOOVER,
Chairman.

BILLS AND REPORTS.

Mr. Reed called up

H. B. 106.—An act regulating Salmon Fisheries in the waters of the Columbia river.

Which was amended in accordance with the recommendations of committee, and read a third time.

On motion of Mr. Hathaway,

The rules were suspended, the bill considerered engrossed and passed by the following vote:

Ayes—Messrs. Hanford, Hathaway, Hoover, Kuhn, Ping, Reed, and Mr. President.—7.

Title read and approved.

Mr. Hoover called up,

C. B. 36.—An act to amend an act entiled an act in relation to Licenses.

And the vote by which the bill went to engrossment was reconsidered, and the bill put back on second reading.

Mr. Stewart moved to amend the bill by exempting the counties of Walla Walla and Pacific from the provisions of the bill.

On which Mr. Hoover demanded the ayes and noes.

The roll was called,

Ayes—Messrs. Hoover, Reed and Mr. President.—3.

Noes—Messrs. Hanford, Hathaway and Kuhn.—3.

The President declared the amendment lost.

On motion of Mr. Hoover,

The rules were suspended, the bill read third time, considered engrossed and passed by the following vote:

Ayes—Messrs. Hanford, Hathaway, Hoover, Kuhn, Stewart and Mr. President.—6.

Noes—Mr. Reed, of Pacific.—1.

The title was read and approved.

Mr. Stewart gave notice that on Monday next he would move to reconsider the vote by which,

C. B. 36.—An act relating to Licenses.

Passed the Council.

Mr. Kuhn called up,

C. B. 44.—An act to authorize the Board of Health for the district of Puget Sound to purchase a site for a Pest-house.

The bill being read a third time,

On motion of Mr. Kuhn,

The rules were suspended, the bill considered engrossed and passed by the following vote:

Ayes—Messrs. Hanford, Hathaway, Hoover, Kuhn, Ping, Reed, Stewart and Mr. President.—8.

Title read and approved.

C. B. 66.—An act to provide revenue for road purposes in Columbia county.

Was read third time.

On motion of Mr. Ping,

The rules were suspended, the bill considered engrossed, and passed by the following vote:

Ayes—Messrs. Hanford, Stewart, Hoover, Reed, Ping, and Mr. President.—8.

The title of the bill was read and approved.

C. B. 53.—An act to provide for the purchase of the reports of the decisions of the Supreme Court of Washington Territory and respecting the custody and distribution of the same.

Was taken up and read third time.

On motion of Mr. Hanford,

The rules were suspended, the bill considered engrossed, and the Council by the following vote refused to pass the bill:

Ayes—Messrs. Hanford, Hathaway, Hoover, and Kuhn.—4.

Noes—Messrs. Ping, Reed, Stewart and Mr. President.—4.

The bill being lost,

Mr. President gave notice that on Monday he would move a reconsideration of the vote by which,

C. B. 53.—An act to provide for the purchase of the reports of the decisions of the Supreme Court of Washington Territory,

Was lost.

The following message was received:

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
November 3, 1877.

MR. PRESIDENT—

I am instructed by the House to inform the Council that the House has passed,

H. B. 129.—An act to provide and pay for additional En-

rolling Clerks, for the Sixth Biennial Session of the Legislative Assembly of Washington Territory.

C. B. 65.—An act to regulate the proceedings in civil actions.

C. B. 33.—An act relating to Liens.

And the same are herewith transmitted.

R. G. O'BRIEN,
Chief Clerk.

Mr. Hanford called up,

H. B. 129.—An act to provide and pay for additional Enrolling clerks for the Sixth Biennial session of the Legislative Assembly of the Territory of Washington.

Which was read twice.

Mr. Ping moved to lay the bill on the table.

Mr. Hoover moved to add "subject to the call of the Council."

The amendment was adopted, and the motion as amended, prevailed.

H. M. 12.—Relative to residents on unsurveyed lands,

Was read twice,

On motion of Mr. Stewart,

The rules were suspended and the memorial read a third time.

On motion of Mr. Hathaway,

The vote by which the memorial went to third reading, was reconsidered.

The memorial being restored to second reading, it was referred for emendation to Judiciary committee.

At 4:25 P. M.

On motion of Mr. Hanford,

The Council took a recess till 7:30 P. M.

EVENING SESSION.

The Council reassembled at 7:30 P. M., a quorum present and the President in the chair.

Mr. Hanford, from the Judiciary committee, reported:

MR. PRESIDENT—

Your committee on Judiciary to whom was referred,

C. B. 32.—An act to provide for assessing and collecting County and Territorial Revenue,

Have had the same under consideration and report it back with amendments and recommend the adoption of said amendments, and that when so amended the bill do pass.

C. H. HANFORD,
Chairman.

In consequence of the great length of the Civil Practice act,

C. B. 65.—An act to regulate the practice and proceedings in civil actions.

Mr. Hanford moved that the bill as it passed both houses be considered the enrolled bill, and as such submitted for the signatures of the President and Speaker and the approval of his Excellency, the Governor.

The motion was carried.

INTRODUCTION OF BILLS.

Mr. Hoover introduced,

C. B. 96.—An act for the relief of John Saltar.

Which was read first time and laid on the table, also,

C. B. 97.—An act for the relief of C. B. Bagley.

Which was read first time and laid on the table.

Mr. Hathaway introduced,

C. M. 8.—In relation to school lands in Washington Territory.

Which was read first time and laid on the table.

C. B. 32.—An act to provide for the assessing and collecting of County and Territorial Revenue.

Was taken up and considered by sections.

Sections 1 and 2, and 3, were adopted without amendment.

Mr. Kuhn moved to amend section 4 of the bill so as only to exempt Federal, Territorial and County property, and Cemeteries for the burial of the dead, and on adoption of the amendment demanded the ayes and noes.

Ayes—Messrs. Hanford, Hathaway, Kuhn, Ping, Reed, and Stewart.—6.

Noes—Mr. Hoover and Mr. President.—2.

The President declared the amendment adopted.

Sections 5 to 33 were considered, and the amendments of the Judiciary committee adopted.

Pending the consideration of section 34, it was made special order for Monday at 11 A. M.

Mr. Ping moved to adjourn and the motion was carried.

At 9:35 P. M., the Council adjourned till Monday, November 5th, 1877, at 10 A. M.

T. B. MERRY,
Chief Clerk.

Approved November 5, 1877,
T. M. REED,
President.

COUNCIL CHAMBER,
Monday, November 5, 1877.

The Council met at 10 A. M.
The President in the chair.

The roll was called and the following members found to be present:

Messrs. Hanford, Kuhn, Ping, Reed, Hathaway, Stewart Hoover and Mr. President.—8.

Prayer was offered by Rev. D. N. Utter.

The Journal of Saturday was read, amended and approved.

Mr. Hoover moved to have printed,

C. B. 90.—An act to provide for the election of county and district officers in the Territory of Washington.

Motion carried.

Mr. Hathaway presented a petition asking for the location of the county seat of Klickitat county.

Which was read twice, and laid on the table.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
November 5, 1877.

Mr. PRESIDENT—

I am instructed by the House to inform the Council that there has been introduced

H. B. 129.—An act to amend an act to provide for the Hospital for insane.

H. B. 130.—An act to regulate the practice of medicine and surgery.

H. B. 131.— An act in relation to roads and bridges in Klikitat county.

H. B. 132.—An act to amend an act for the election of county commissioners and defining their duties.

H. B. 133.—An act relative to hogs in Snohomish county and in certain townships in Klikitat county.

H. B. 134.—An act providing for the training of indigent mutes and blind children.

H. B. 135.—An act establishing free scholarships in the Territorial University.

H. B. 136.—An act reimbursing the Regents of the Territorial University for expenses in attending meetings of the Board.

H. B. 137.—An act providing a compensation for the Regents of the Territorial University.

H. B. 138.—An act relating to the improvement of tide lands.

H. B.139.—An act declaring a certain road to be a Territorial road.

H. B. 140.—An act to provide and pay for the printing and distribution of certain laws.

H. B. 141.—An act relating to the duties of county assessors.

H. B. 142.—An act to legalize and make valid the location of county road.

H. B. 143.—An act in relation to deer in Island county.

H. B. 144.—An act authorizing the Territorial Auditor to purchase Musser's Tax Book attachment.

H. B. 145.—An act defining the boundary line of Mason county.

H. B. 146.—An act relating to the measurement of charcoal.

H. B. 147.—An act authorizing the Territorial Treasurer to refund certain moneys.

H. B. 148.—An act authorizing the Territorial Auditor to credit the several counties of the Territory with certain sums of money.

H. B. 149.—An act to repeal an act entitled an act to incorporate the city of Kalama.

H. B. 150.—An act authorizing William Jackson to construct a warehouse at Arkansas Landing.

H. B. 151.—An act regulating the time and manner of transferring Territorial funds from County to Territorial Treasurer.

H. B. 152.—An act to amend an act to provide for assessing and collecting of county and Territorial revenue. Approved Nov. 12, 1875.

H. B. 153.—An act to provide for the recovery of certain moneys raised to aid in the construction of a wagon road across the Cascade Mountains.

H. B. 154.—An act to amend an act relating to mortgages on personal property, approved November 12, 1875.

H. B. 155.—An act establishing a system of common school books in Yakima county.

H. B. 156.—An act to provide for the greater security of money loaned.

H. M. 16.—Praying Congress to amend section one thou-

sand, nine hundred and twenty-four of the U. S. Revised Statutes.

H. M. 17.—Relative to carrying United States Mail from Pt. Townsend to Pt. Angelos by land.

H. M. 18.—Praying for the re-establishment of a harbor of refuge on the North West Coast.

H. M. 19.—Relative to the removal of obstructions in the Nooksak River, Washington Territory.

H. M. 20.—Relative to Indians East of the Cascade Mountains.

H. M. 21.—Praying for the transfer of the care of the United States Penitentiary to the Territory.

Also that the House has passed,

C. B. 47.—Substitute for

H. B. 9.—An act to legalize and make valid the location of county roads.

C. B. 54.—An act to protect persons selling spirituous, malt or fermented liquors from misrepresentations of minors as to their ages.

C. B. 71.—An act authorizing the County Commissioners of Chehalis county to appropriate money for the construction of Bridges.

C. B. 68.—An act in relation to Streets and Alleys in unincorporated towns.

C. M. 7.—Praying for the extension of time in holding Sessions of the Legislative Assembly of Washington Territory.

And the same are herewith returned.

And that the Speaker has signed.

C. B. 13.—An act to amend an act to authorize the construction of Ditches, Drains and Water courses.

C. B. 27.—An act to provide for the appointment of a County Assessor in the county of Pierce, and defining his duties.

C. B. 42.—An act to disincorporate the town of Tumwater.

C. B. 45.—An act to provide for the election of Justices of the Peace in case of Vacancy.

C. B. 48.—An act in relation to Commissioners of Deeds.

C. B. 56.—An act in relation to the collection of licenses in the cities of Tacoma and Steilacoom.

C. B. 61.—An act to authorize the Governor to offer a reward for the arrest of the murderer of Ole Haaganson,

And the same are herewith returned for your signature.

R. G. O'BRIEN,
Chief Clerk.

STANDING COMMITTEES.

Mr. Hoover, from committee on Ways and Means, reported:

MR. PRESIDENT—

Your committee on Ways and Means, would respectfully report back:

C. M. 8.—In relation to School Lands in Washington Territory.

Without recommendation.

J. HOOVER,
Chairman.

Mr. Stewart, from committee on Military Affairs, reported:

MR. PRESIDENT—

Your committee on Military Affairs to whom was referred,

C. B. 87.—An act to repeal an act to incorporate the town of Port Townsend.

Have had the same under consideration, and report the same back with the following amendment:

Strike out in line four of section six, Joseph A. Kuhn, and insert in lieu thereof, A. R. Hoffman, and recommend that when so amended the same do pass.

DANIEL STEWART,
Chairman.

Mr. Hanford, from committee on Enrolled Bills, reported as correctly enrolled:

C. B. 18.—An act to provide for the appointment of a Short Hand Reporter for the District Courts.

C. B. 40.—An act to amend an act defining Nuisances and securing remedies.

C. B. 65.—An act to regulate the practice and proceedings in civil actions.

C. H. HANFORD,
Chairman.

The President announced that he had signed:

C. B. 13.—An act to amend an act entitled an act to authorize the construction of Ditches, Drains or Water courses, made and approved Nov. 12, 1875.

C. B. 27.—An act to provide for the appointment of a County Assessor, in the county of Pierce and defining his duties.

C. B. 42.—Substitute for

H. B. 24.—An act to repeal an act entitled an act to incorporate the town of Tumwater.

C. B. 45.—Substitute for

C. B. 30.—An act providing for the election of Justices of the Peace in case of vacancy.

C. B. 48.—An act in relation to Commissioners of Deeds.

C. B. 56.—An act to make the Territorial Treasurer *ex officio* Territorial Librarian.

C. B. 61.—An act to authorize the Governor to offer a reward for the arrest of the murderer of Ole Haagenson.

C. B. 36.—An act to amend an act entiled an act in relation to Licenses.

Was in accordance with previous notice of Mr. Stewart, taken up for reconsideration.

Mr. W. H. White, Prosecuting Attorney of Third Judicial District was,

On motion of Mr. Hanford,

Invited within the bar to address the Council upon the legal question in Mr. Stewart's proposed amendment.

The Council refused to reconsider the bill.

Ayes—Messrs. Reed, Stewart and Mr. President.—3.

Noes—Messrs. Hanford, Hathaway, Hoover, Kuhn, and Ping.—5.

Mr. Hanford moved to reconsider the vote by which section four of

C. B. 32.—An act to provide for the assessing and collecting of County and Territorial Revenue.

Was amended and carried.

Mr. Ping in the chair.

Mr. Reed, of Thurston, moved to amend the fourth section of the bill by adding a third clause.

Mr. Stewart moved to amend the amendment exempting Lodges and Benevolent Societies.

Motion lost.

Mr. Hathaway offered to amend the amendment by adding "provided that the sittings of said Churches are free."

Adopted.

The question recurring on the adoption of the amendment,

Ayes—Mr. Hoover.—1.

Noes—Messrs. Hanford, Hathaway, Kuhn, Ping, Stewart, Reed and Mr. President.—7.

Mr. President gave notice of reconsideration.

On motion of Mr. Hoover,

The Council took a recess till 2 P. M.

AFTERNOON SESSION.

The Council re-assembled at 2 P. M.

The President in the chair.

C. B. 32.—An act to provide for the assessing and collecting of County and Territorial Revenue.

Was resumed.

After considering the bill by sections, to the end, amending same,

(Mr. Kuhn in the chair.)

Mr. Reed, of Thurston, desired to have his vote changed from negative to affirmative, on the amendment offered by himself to the amendment of section four, of the bill reconsidered.

Request granted and the vote ordered changed.

Mr. Reed, of Thurston, moved to amend Section four, so as to exempt Literary, Scientific and Charitable institutions from taxation, and the ayes and noes were demanded on the vote.

Ayes—Messrs. Hoover, Ping and Mr. President.—3.

Noes—Messrs. Hanford, Hathaway, Kuhn, Reed, and Stewart.—5.

On motion of Mr. Hoover,

The bill was read third time and ordered engrossed.

Mr. Kuhn in the chair.

Mr. Reed, of Thurston, introduced,

C. J. R. 13.—Concerning the adjournment of the Legislative Assembly, and compensation of its members.

Which was read twice and,

On motion of Mr. Hoover,

The rules were suspended, the resolution read third time and passed.

Ayes—Messrs. Hanford, Hathaway, Hoover, Kuhn, Ping, Stewart and Mr. President.—7.

C. B. 79.—An act to appropriate money for the University of Washington Territory, and to provide for free Scholarships in said University.

Was taken up read second time, and referred to committee on Education.

C. B. 78.—An act to provide revenue for the propagation of Salmon in the waters of Puget Sound.

Was taken up read second time and referred to committee on Commerce.

C. B. 77.—An act prescribing Prison regulations.

Was taken up read second time and referred to committee on Counties.

C. B. 88.—An act for the establishment and maintenance of an Asylum for the Insane and Idiotic in Washington Territory.

Was ordered to be placed at the foot of the file,

C. B. 89.—An act to amend an act entitled an act to fix the times of holding terms of the District and Supreme courts.

Was read second time and,

On motion of Mr. Hathaway,

The rules were suspended, the bill read third time considered engrossed and passed.

Ayes—Messrs. Hanford, Hathaway, Hoover, Kuhn, Ping, Reed, Stewart and Mr. President.—8.

Mr. Hoover, from committee on Ways and Means, reported:

MR. PRESIDENT—

Your committee on Ways and Means, would respectfully report back,

H. B. 63.—An act in relation to the Bonds of Territorial Officers.

And recommend its adoption with accompanying form of bond.

J. HOOVER,
Chairman.

H. B. 63.—An act in relation to the Bonds of Territorial Officers.

Was ordered placed at foot of file.

On motion of Mr. Stewart the Council went into Executive session.

EXECUTIVE SESSION.

The Governor's Message nominating Thomas H. Brents, to be Territorial Superintendent of Common Sbhools, was taken up agreeably to notice of reconsideration given by Mr. Hathaway, and the Council refused to reconsider the vote of rejection.

The nomination of Francis Tarbell to be Territorial Treasurer, was laid on the table subject to call of the Council.

On motion of Mr. Hathaway,

The session was declared adjourned.

On resolving into open session,

On motion of Mr. Hoover,

A recess was had till 7:30 P. M.

EVENING SESSION.

The Council re-assembled at 7:40 P. M, a quorum being present and the President in the chair.

SECOND READING OF BILLS.

C. B. 90.—An act to provide for the election of County and District officers in the Territory of Washington.

Was returned to the file.

C. B. 91.—An act defining the streets in the town of Port Townsend to be public highways.

Was read second time and referred to Mr. Kuhn as a select committee.

C. B. 94.—An act defining incompatibility and impotency,

Was read second time and referred to committee on Military Affairs.

C. B. 95.—An act defining the boundaries of the city of Vancouver,

Was read second time and

On motion of Mr. Hathaway,

The rules were suspended, bill read third time, considered engrossed and passed by the following vote:

Ayes—Messrs. Hanford, Hathaway, Hoover, Kuhn, Ping, Reed, Stewart and Mr. President.—8.

Title read and approved.

C. B. 96.—An act for the relief of John Saltar,

Was read twice and referred to committee on Claims.

C. M. 9.—Relative to School Lands,

Was read twice and referred to committee on Education.

C. B. 84.—An act to locate the county seat of Chehalis county,

Was read second time and referred to committee on Counties.

Mr. Reed, of Thurston, in accordance with previous notice, moved a reconsideration of the vote by which was lost:

C. B. 53.—An act to provide for the purchase of the reports of the decisions of the Supreme Court of Washington Territory and respecting the custody and distribution of the same.

On motion of Mr. Reed, of Thurston,

The bill was laid on the table subject to call of the Council.

H. B. 100.—An act defining districts in San Juan county for the election of County Commissioners,

Was read third time, rules suspended, considered engrossed and passed.

Ayes—Messrs. Hanford, Hathaway, Hoover, Kuhn, Ping, Reed, Stewart and Mr. President.—8.

Title approved.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
November 5, 1877.

Mr. PRESIDENT—

I am instructed by the House to inform the Council that the Speaker has signed,

H. B. 117.—An act extending the time for the equalization of taxes in King county, W. T.

H. B. 79.—An act to protect forests and timber lands from fires.

H. B. 118.—Substitute for,

H. B. 107.—An act providing a revenue to assist the Oregon and Washington Fish Propagating Company.

H. B. 27.—An act to incorporate the city of Walla Walla.

H. M. 11. Praying for vessels of war to be stationed on the waters of Puget Sound.

C. B. 40.—An act defining Nuisance and securing remedies. Herewith transmitted for your signature.

And that the House has passed.

H. B. 131.—An act in relation to Roads and Bridges in Klickitat county.

H. B. 133.—An act relative to Hogs in Snohomish county, and in certain Townships in Klickitat county.

H. B. 93.—An act to provide for the payment of Surveyors, Chain-bearers, and Viewers in Walla Walla county.

H. B. 121.—An act fixing the rate to be paid for public printing, and providing for auditing the accounts of the public printer.

H. B. 146.—An act relating to the measurement of charcoal.

H. B. 147.—An act authorizing the Territorial Treasurer to refund certain moneys.

H. B. 153.—An act to provide for the recovery of certain moneys, raised to aid in the construction of a Wagon Road across the Cascade mountains.

H. J. R. 16.—Relative to the death of Oliver P. Morton.

H. J. R. 17.—Endorsing the administration of President Hayes.

H. M. 16.—Praying Congress to amend Section 1924 of the United States Revised Statutes.

H. M. 17.—Relative to carrying the U. S. Mails from Port Townsend to Port Angelos by land.

H. M. 18.—Praying for the establishment of a Harbor of Refuge, on the North West coast.

H. M. 19.—Relative to removal of obstructions in the Nooksack River.

H. M. 20.—Relative to Indians east of the Cascade mountains.

H. M. 22.—Relative to title to University lands in W. T.

Herewith transmitted for your consideration, also

C. B. 26. An act for the relief of J. C. Horr and others,

With amendment herewith returned.

And that the Speaker has signed:

H. B. 91.—An act to amend an act to encourage the cultivation of Oysters.

C. B. 18.—An act to provide for a Short Hand Reporter, for the District Courts.

Herewith returned for your signature.

R. G. O'BRIEN,
Chief Clerk.

C. B. 70.—An act for the relief of William Billings,

Was read third time and

On motion of Mr. Hathaway,

The bill was considered engrossed and allowed to come up in regular order.

C. B. 41.—An act for the removal of Civil Officers, otherwise than by impeachment,

Was re-committed to the Judiciary Committee.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
November 5, 1877.

MR. PRESIDENT—

I am instructed by the House to inform the Council that the Speaker has signed.

H. J. R. 15.—Relative to an Extra session of the Legislative Assembly.

H. B. 76.—An act to amend an act entitled an act relative to attorneys and counsellors at law.

H. B. 99.—An act relating to road districts in San Juan county.

H. J. R. 12.—Relative to New Business.

H. B. 29.—An Act to amend an act entitled an act concerning Marks and Brands in certain counties of Washington Territory, approved November 12, 1875.

H. B. 56.—An act declaring Samamish Slough navigable.

H. B. 58.—An act to repeal an act to amend an act in relation to Quartz mining claims, approved November 12, 1875.

C. B. 65.—An act to regulate the practice and proceedings in civil actions.

And the same are herewith transmitted for your signature.

And that the House has passed,

H. B. 86.—An act for the relief of J. T. Hicklin.

Herewith transmitted for your consideration.

R. G. O'BRIEN,
Chief Clerk.

The President announced he had signed the above bills.

On motion of Mr. Hoover,

The Council concurred in the amendments to,

C. B. 26.—An act for the relief of J. C. Horr and others.

BILLS AND REPORTS.

C. B. 74.—An act to amend an act entitled an act relative to crimes and punishments and proceedings in criminal cases.

Mr. Hoover moved to amend Section 2, of the title by striking out "twenty" and inserting "five" days after arrest in all cases save murder.

The amendment was adopted.

On motion of Mr. Stewart,

Further consideration by sections was dispensed with and the bill was read a third time.

On motion of Mr. Hoover,

The bill was considered engrossed and passed.

Ayes—Messrs. Hanford, Hathaway, Hoover, Kuhn, Ping, Reed and Mr. President.—7.

Noes—Mr. Stewart.—1.

The title was read and approved.

Mr. Kuhn called up,

C. B. 73.—An act to locate a Territorial road from the Willopa River to Chehalis Station, in Lewis county.

Which was made the special order for to-morrow at 10:30.

C. B. 87.—An act to repeal certain acts and sections of acts relating to the incorporation of Port Townsend,

Was read twice,

On motion Mr. Kuhn,

The rules were suspended, bill read third time, and passed by the following vote:

Ayes—Messrs. Hanford, Hathaway, Hoover, Kuhn, Ping, Reed, Stewart and Mr. President.—8.

Title approved.

C. B. 80.—An act in relation to a Territorial Board of Equalization,

Was read twice and referred to committee on Ways and Means.

At 9:45.

On motion of Mr. Ping,

The Council adjourned until Tuesday, Nov. 6th, at 10 A. M.

T. B. MERRY,
Chief Clerk.

Approved November 6, 1877,
T. M. REED,
President.

COUNCIL CHAMBER,
Tuesday, November 6, 1877.

The Council met at 10 o'clock A. M., pursuant to adjournment.

The President in the chair.

The roll was called and the following members found to be present:

Present—Messrs. Hanford, Stewart, Hoover, Reed, Ping, and Mr. President.—8.

Prayer by Rev. D. N. Utter, acting Chaplain.

The Journal of yesterday read and approved.

STANDING COMMITTEES.

Mr. Hathaway, from committee on Claims reported:

MR. PRESIDENT—

Your committee on Claims, to whom was referred,
C. B. 72.—An act for the relief of J. P. Judson, and

C. B. 16.—An act for the relief of John Saltar,

Have had the same under consideration and report the same back with a recommendation that they do pass.

M. R. HATHAWAY,
Chairman.

Mr. Hathaway, from committee on Education reported:

MR. PRESIDENT—

Your committee on Education, to whom was referred,

C. M. 9.—In regard to School Lands in this Territory, and amendment offered by Mr. Hathaway,

Have had the same under consideration and report the same back with recommendation that the same with the amendments do pass, and with an amendment to the title.

M. R. HATHAWAY,
Chairman.

Mr. Hathaway, from commmittee on Education reported:

MR. PRELIDENT—

Your committee on Education, to whom was referred,

C. B. 79.—An act to appropriate money for the University of Washington Territory, and to provide for free Scholarships in said Territory,

Have had the same under consideration and report the same back with recommendation that it do pass with the ac companying amendments.

M. R. HATHAWAY,
Chairman.

Mr. Hoover, from committee on Ways and Means reported:

MR. PRESIDENT—

Your committee on Ways and Means to whom was referred

C. B. 80.—Would respectfully report the same back without recommendation.

J. HOOVER,
Chairman.

Mr. Reed, from committee on Counties, reported:

Mr. PRESIDENT—

Your committee on counties to whom was referred,

C. B. 77.—An act prescribing prison regulations.

Have had the same under consideration and report the same back with the recomendation that it do pass.

C. A. REED,
Chairman.

SPECIAL COMMITTEES.

Mr. Kuhn, from Special committee reported as follows:

MR. PRESIDENT—

Your Special committee to whom was referred,

C. B. 91.—An act declaring the streets in Port Townsend, to be public highways.

Have had the same under consideration, and report it back with a substitute and recommend the adoption of the substitute.

J. A. KUHN,
Chairman.

The hour for Special Order having arrived,

On motion of Mr. Hathaway,

H. B. 86.—An act for the relief of J. T. Hicklin,

Was taken up,

The Special Order was deferred to give the bill a hearing.

Mr. Hicklin was invited within the bar, and addressed the Council in reference to the bill.

On motion of Mr. Hathaway,

The bill was referred to committee on Claims.

SPECIAL ORDER.

C. B. 73.—An act to locate a Territorial Road from Willopa River, in Pacific county to Chehalis Station, in Lewis county,

Was taken up, amended by title and otherwise and ordered engrossed.

Mr. Hoover called up,

H. B. 83.—An act to amend an act entitled an act relative to crimes and punishments, and proceedings in criminal cases, approved Nov. 10, 1873.

Bill was read twice and

On motion of Mr. Hanford,

The bill was referred to committee on Indian Affairs.

C. B. 98.—Substitute for

C. B. 91.—An act declaring the streets in the town of Port Townsend to be public highways.

Was taken up, read twice and

On motion of Mr Kuhn,

Bill was read third time, under suspension of the rules and passed.

Ayes—Messrs. Hanford, Hathaway, Hoover, Kuhn, Ping, Reed, Stewart and Mr. President.—8.

C. M. 9.—Relative to School Lands,

Was taken up, and read third time under suspension of the rules and passed.

Ayes—Messrs. Hanford, Hathaway, Hoover, Kuhn, Reed, Ping and Mr. President.—7.

Mr. Kuhn was called to the chair,

On motion of Mr. Reed, of Thurston,

H. B. 108.—An act to apportion the Legislative Assembly.

Was taken up for consideration.

On motion of Mr. Reed, of Thurston,

The bill was referred to a special committee of three, and the chair appointed as such committee, Messrs. Reed, of Thurston, Reed, of Pacific, and Mr. Hoover.

Mr. Hanford, by unanimous consent of the Council, introduced,

C. B. 99.—An act to provide for the appointment of Immigration agents.

Bill was read twice, and,

On motion of Mr. Reed,

The rules were suspended, the bill read third time, considered engrossed and passed.

Ayes—Messrs. Hanford, Hathaway, Hoover, Kuhn, Ping, Reed and Mr. President.—7.

H. B. 109.—An act for the relief of E. P. Boyles.

Was taken up, when,

On motion of Mr. Ping,

The rules were suspended, the bill read third time and passed.

Ayes—Messrs. Hanford, Hathaway, Hoover, Kuhn, Ping, Reed and Mr. President.—7.

Mr. Reed, of Thurston , from select committee on,

H. B. 108.—An act to apportion the representation of the Legislative Assembly of Washington Territory.

Reported, recommending that the Council recede from their amendments to the bill.

On motion of Mr. Hanford,

The report was adopted and the Council receded from the amendments. to the bill

The Council took recess till 2 P. M.

AFTERNOON SESSION.

Council re-assembled at 2 P. M.

Mr. President in the chair.

H. B. 113.—An act to amend an act in relation to Territorial Auditor

Was called up from House Message and read twice.

Mr. Hanford moved to amend by striking out the Governor and inserting a Judge of the Supreme Court.

Adopted.

Mr. Ping moved to strike out fifteen hundred and insert one thousand.

Mr. Hoover moved to amend by inserting twelve hundred and fifty.

Adopted.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
November 6, 1877.

MR. PRESIDENT—

I am instructed by the House to inform the Council that the House has passed:

H. B. 30.—An act for the relief of the Board of Trustees of Tacoma Lodge No. 4, I. O. G. T.

H. B. 53.—An act to create and confer jurisdiction upon the District Court of Whatcom county.

H. B. 72.—An act in relation to Grand and Petit Jurors.

Substitute for

H. B. 78.—An act for the relief of Lewis county, Washington Territory, appropriating the amount of its Territorial Tax for the years 1877 and 1878, to said county for the building of bridges therein.

H. B. 119.—An act relating to Estrays.

H. B. 158.—Substitute for

C. B. 24.—An act to amend an act creating a Boad of Pilot Commissioners and Pilots on Columbia River and Bar, approved Nov. 29, 1871.

And the same are herewith transmitted for your consineration, also

C. B. 50.—An act in relation to Roads, Ferries, Bridges, and travel on public highways.

And the same is herewith returned.

R. G. O'BRIEN,
Chief Clerk.

The amendment as amended was adopted.

The question being on the third reading of the bill which was,

On motion of Mr. Hanford,

Read third time considered engrossed and passed.

Ayes—Messrs. Hanford, Hathaway, Hoover, Kuhn, Ping, Reed and Mr. President.—7.

Mr. Kuhn, from committee on Indian affairs reported:

MR. PRESIDENT—

Your committee on Indian affairs would respectfully report back,

H. B. 83.—An act to amend an act entitled an act relative to Crimes and Punishments, and proceedings in criminal cases, approved November 10, 1873.

And recommend that it do pass.

J. A. KUHN,
J. HOOVER,

H. B. 83.—An act to amend an act entitled an act relative to crimes and punishments and proceedings in criminal cases, approved Nov. 10, 1873.

Was called up from committee on Indian affairs and read twice, bill was read third time, and on suspension of the rules considered engrossed and passed.

Ayes—Messrs. Hathaway, Hoover, Ping, Reed and Mr. President.—5.

Noes—Mr. Kuhn.—1.

Mr. Hanford called up,

C. B. 79.—An act to appropriate money for the University of Washington Territory, and to provide for free Scholarships in said University.

The amendments of committee were adopted and the bill read third time and ordered engrossed.

Mr. Ferguson came within the bar and took his seat.

(Mr. Kuhn in the chair.)

House message bills considered.

H. B. 115.—Subrtitute for

H. B. 32.—An act to provide for the management of the Territorial Library,

Was read twice and referred to committee on Library.

H. B. 123.—An act prescribing the tenure of office,

Was taken up and read twice.

On motion of Mr. Hoover,

The rules were suspended and bill read third time, considered engrossed and passed.

Ayes—Messrs. Hanford, Hathaway, Hoover, Kuhn, Ping, Reed, Ferguson and Mr. President.—9.

H. B. 126.—An act to amend an act entitled an act defining lawful fences in Yakima and Whitman counties.

On motion of Mr. Hathaway,

The rules were suspended, the bill read third time, considered engrossed and passed,

Ayes—Messrs. Hanford, Hoover, Kuhn, Ping, Stewart, Reed and Mr. President.—7.

Noes—Messrs. Ferguson and Hathaway.—2.

H. B. 90.—An act defining the boundary between the counties of Island, San Juan, Whatcom and Snohomish,

Was taken up and read twice, and referred to committee consisting of Messrs. Ferguson and Kuhn.

H. B. 34.—An act to amend an act entitled an act to establish the amount and provide for the costs in certain cases, approved December 3, 1869.

Was taken up and read twice, and referred to Judiciary Committee.

H. B. 59.—An Act to amend Section 33, of Chapter III, of an act entitled an act defining jurisdiction and practice in the Probate Courts of Washington Territory.

Was read twice and referred to committee on Judiciary.

H. B. 69.—An act to provide proper confinement of Territorial convicts.

Was taken up read twice and referred to committee on public grounds and buildings.

Mr. Hoover moved that all bills referred must be reported back on the following day, or committee report progress.

Motion carried.

Substitute for

H. B. 93.—An act in relation to Territorial Treasurer.

Was taken up,

Mr. Ferguson moved that a committee of conference be appointed.

Motion carried.

The President appointed os such committee Messrs. Ferguson and Hoover.

MESSAGE FROM THE GOVERNOR.

TERRITORY OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, NOVEMBER 6, 1877.

To the Honorable the Council of the Territory of Washington.

I have the honor to inform you that I have this day approved and signed the following:

An act to amend an act entitled an act to authorize the construction of ditches, drains and water-courses, approved Nov. 12, 1875.

An act to provide for the appointment of a county assessor in the county of Pierce and defining his duties.

An act to disincorporate the town of Tumwater.

An act to provide for the election of Justices of the Peace in case of vacancy.

An act in relation to Commissioners of Deeds.

An act in relation to the collection of Licenses in the cities of Tacoma and Steilacoom.

An act to authorize the Governor to offer a reward for the arrest of the murderer of Ole Haagenson.

An act to amend an act entitled an act defining Nuisances and securing remedies, approved Nov. 12, 1875.

An act to provide for the appointment of a Short Hand Reporter for the District Courts.

E. P. FERRY,
Governor.

C. B. 73.—An act for the relief of J. P. Judson.

Was taken up and read three times, and,

On motion of Mr. Hoover,

The rules were suspended the bill considered engrossed and passed.

Ayes—Messrs. Hanford, Hathaway, Hoover, Kuhn, Ping, Reed, Stewart and Mr. President.—8.

On motion of Mr. Hathaway,

The vote by which

H. B. 113.—An act to amend an act entitled an act in relation to Territorial Auditor, approved November 29, 1871.

Was passed, was re-considered, and bill returned to second reading.

Mr. Hathaway moved to reconsider the vote by which fifteen hundred was stricken out of the bill and twelve hundred and fifty inserted.

Motion carried.

Mr. Hathaway then moved that twelve hundred and fifty be stricken out and fifteen hundred inserted.

Motion carried.

On motion of Mr. Kuhn,

The bill was read third time.

On motion of Mr. Hathaway,

The bill was considered engrossed and placed upon its passage.

The roll was called and those voting:

Ayes—Messrs. Hanford, Hathaway, Hoover, Kuhn, Ping, Reed, Stewart and Mr. President.—8.

Noes—Mr. Ferguson.—1.

C. B. 96.—An act for the relief of John Saltar,

Was read third time and

On motion of Mr. Hoover,

The rules were suspended, the bill considered engrossed and passed:

Ayes—Messrs. Hanford, Hoover, Kuhn, Ping, Reed, Stewart and Mr. President.—7.

Noes—Messrs. Ferguson and Hathaway.—2.

H. B. 112.—An act to authorize the Board of County Commissioners of Jefferson county, to borrow money,

Was taken up, and

On motion of Mr. Kuhn,

The bill was read third time under suspension of the rules, considered engrossed and passed:

Ayes—Messrs. Ferguson, Hanford, Hathaway, Hoover, Kuhn, Ping, Reed, Stewart and Mr. President.—9.

H. B. 114.—An act in relation to the location of the county seat of Klickitat county,

Was called up by Mr. Hathaway, read twice and referred to committee on Education,

On motion of Mr. Hathaway,

The Council took a recess till 7:30 P. M.

EVENING SESSION.

The Council re-assembled at 7:30 P. M., a quorum present and the President in the chair.

The consideration of House messages being resumed,

H. B. 133.—An act relative to Hogs in Snohomish county, and in certain Townships in Klickitat county.

Was taken up, read twice and referred to committee on Indian affairs.

On motion of Mr. Kuhn,

In accordance with previous notice the vote by which the title of

H. B. 112.—An act authorizing the commissioners of Jefferson county to borrow money.

Was amended, was reconsidered and the original title of the bill restored.

The following message was received:

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
November 6, 1877.

MR. PRESIDENT—

I am instructed by the House to inform the Council that there has been introduced.

H. B. 159.—An act donating the road property tax of San Juan county to the school fund of said county.

H. B. 160.—An act to amend an act entitled an act to provide for pilots in the straits of San Juan de Fuca.

H. B. 161.—An act to amend an act relating to Elections, and the mode of supplying vacancies, approved July 3d, 1867.

And that the House has passed,

C. B. 44.—An act to authorize the Board of Health for the district of Puget Sound to purchase a suitable site for a Pest-house.

C. B. 82.—An act for the protection of Quail in Walla Walla, Columbia, and Whitman counties.

C. B. 92.—An act for the relief of J. R. Thompson, J. P. Ludlow, D. N. Utter, and A. Atwood.

C. B. 95.—An act defining the boundaries of the city of Vancouver.

C. J. R. 13.—Concerning the adjournment of the Legislative Assembly, and the compensation of its members and officers.

C. B. 64.—An act incorporating the town of Olympia.

With amendment, and the same is herewith returned and concurrence requested.

R. G. O'BRIEN,
Chief Clerk.

H. B. 121.—An act fixing the rate to be paid for public printing and providing for auditing accounts of the public printer.

Was read twice and

On motion of Mr. Hoover,

The bill was read third time under suspension of rules, considered engrossed and passed by the following:

Ayes—Messrs. Hanford, Hathaway, Hoover, Kuhn, Ping, Reed, Ferguson and Mr. President.—9.

Title approved.

H. B. 147.—An act authorizing the Territorial Treasurer to refund certain moneys.

Was read twice and referred to committee on Claims.

H. B. 153.—An act to provide for the recovery of certain moneys raised to aid in the construction of a wagon road across the Cascade Mountains.

Was read twice,

On motion of Mr. Ferguson,

The rules were suspended, the bill read third time, considered engrossed and passed by the following vote:

Ayes—Messrs. Ferguson, Hanford, Hathaway, Hoover, Kuhn, Ping, Reed, Stewart and Mr. President.—9.

The title of the bill was read and approved.

H. B. 146.—An act relating to the measurement of charcoal.

Was read twice and referred to committee on Agriculture.

H. B. 57.—An act to provide a system of common schools.

Was read twice and,

On motion of Mr. Hathaway,

Was referred to committee on Education, with instructions to amend the bill so as to abolish the office of Territorial Superintendent of Common Schools.

BILLS AND REPORTS.

H. M. 9.—Relative to establishing a U. S. Land Office at Port Townsend.

Was read third time and passed by the following vote:

Ayes—Messrs. Hathaway, Hoover, Ping, Reed, Hanford, Kuhn, Reed, Ferguson and President.—9.

Title approved.

H. B. 73.—An act to repeal an act entitled an act establishing a uniform Standard of Weights and Measures, approved December 2, 1869,

Was read third time and passed by the following vote:

Ayes—Messrs. Ferguson, Hoover, Ping, Reed and Stewart.—5.

Noes—Messrs. Hanford, Hathaway, Kuhn and Mr. President.—4.

The title of the bill was read and approved.

C. B. 85.—An act in relation to Divorces.

Was taken from the majority report of the Judiciary committee and read third time and,

On motion of Mr. Kuhn,

The rules were suspended, the bill considered engrossed and put upon its passage.

Ayes—Messrs. Ferguson, Kuhn and Reed.—3.

Noes—Messrs. Hanford, Hathaway, Hoover, Ping, Stewart and Mr. President.—6.

The bill being lost, Mr. Hoover gave notice of reconsideration of the vote.

C. B. 76.—An act to authorize counties to borrow money.

Was taken up, the amendment of the committee adopted, read third time and passed by the following vote:

Ayes—Messrs. Ferguson, Hanford, Hathaway, Hoover, Reed, Stewart and Mr. President.—7.

Title read and approved.

Mr. Kuhn, from committee on engrossed bills, reported as correctly engrossed.

C. B. 79. —An act to appropriate money for the Territorial University, and to provide free scholarships in said University.

On motion of Mr. Hanford,

C. B. 79.—An act in relation to Territorial University.

Above reported, was taken up and passed by the following vote:

Ayes—Messrs. Ferguson, Hanford, Hathaway, Hoover, Kuhn, Ping, Reed and Mr. President.—8.

Noes—Mr. Stewart.—1.

Title read and approved.

Mr. Hathaway, from committee on Education, reported back without recommendation,

C. B. 37.—An act to amend an act in relation to Licenses.

The bill being taken up for consideration,

Mr. Ferguson moved to amend by striking out all after the enacting clause and inserting an amendment which the President ruled out as irrelevant to the title of the bill.

C. B. 10.—An act for the protection of the Salmon Fisheries of Puget Sound and its tributaries,

Was read a third time and

On motion of Mr. Hoover,

The rules were suspended, the bill considered engrossed and passed by the following vote:

Ayes—Messrs. Ferguson, Hanford, Hathaway, Hoover; Kuhn, Ping, Reed, Stewart and Mr. President.—9.

The title was read and approved.

Mr. Hoover moved to adjourn.

Motion carried.

At 9:30 P. M., the Council did adjourn till to-morrow, November 7th, at 10 A. M.

T. B. MERRY,
Chief Clerk.

Approved November 7, 1877,
T. M. REED,
President.

COUNCIL CHAMBER,
Wednesday, November 7, 1877.

The Council met at 10 o'clock A. M., pursuant to adjournment.

The President in the chair.

The roll was called and the following members found to be present:

Present—Messrs. Hanford, Stewart, Hoover, Reed, Ping, Ferguson and Mr. President.—9.

Prayer by Rev. J. R. Thompson, acting Chaplain.

The Journal of yesterday read and approved.

By unanimous consent, Mr. Hoover introduced.

C. J. R. 14.—Relative to the purchase of two new safes for the Territorial Auditor and Treasurer,

Which was read twice and

On motion of Mr. Hoover,

The rules were suspended, the resolution considered engrossed, read third time and passed:

Ayes—Messrs. Ferguson, Hanford, Hathaway, Hoover, Kuhn, Ping, Reed, Stewart and Mr. President.—9.

REPORTS OF STANDING COMMITTEES.

Mr. Hathaway, from committee on Education reported:

MR. PRESIDENT—

Your committee on Education, to whom was referred,

H. B. 114.—An act in relation to the location of the County Seat of Klickitat county,

Have had the same under consideration and report it back with recommendation that it do pass with the following amendment:

Amend section two, line eight, strike out, "which received the highest number of votes," and insert, "which has received a majority of legal votes."

Amend section four, strike out all after "is," line ten, to include "district," line fourteen, and insert, "provided further, before any court buildings are erected at the expense of the county, the title to any lands upon which such buildings are to be erected shall first be appraised by the Judge of the Second Judicial district."

Amend title by prefixing "re," to the word "location" in the same.

M. R. HATHAWAY,
Chairman.

Mr. Hathaway, from committee on Claims reported:

MR. PRESIDENT—

Your committee on Claims, to whom was referred,

H. B. 147.—An act authorizing the Territorial Treasurer to refund certain moneys.

Have had the same under consideration, and report it back with the recommendation that it do pass.

M. R. HATHAWAY,
Chairman.

Mr. Hathaway, from committee on Claims, reported:

MR. PRESIDENT—

Your committee on Claims to whom was referred,

H. B. 86.—An act for the relief of J. T. Hicklin,

Have had the same under consideration, and report it back with the recommendation that it do not pass.

M. R. HATHAWAY,
Chairman.

Mr. Kuhn, from committee on Commerce, reported:

MR. PRESIDENT—

Your committee on Commerce, to whom was referred,

C. B. 78.—An act to provide revenue for the propagation of Salmon in the waters of Puget Sound.

Have had the same under consideration and report it back without recommendation.

J. A. KUHN,
Chairman.

Mr. Kuhn, from committee on Engrossed Bills reported as properly engrossed:

C. B. 73.—An act to locate a Territorial Road from Willapa to Chehalis.

J. A. KUHN,
Chairman.

Mr. Kuhn, from committee on Library, reported as follows:

MR. PRESIDENT—

Your committee on Library, to whom was referred,

H. B. 115.—Substitute for

H. B. 32.—An act to provide for the management of the Territorial Library,

Have had the same under consideration and report the same back without recommendation.

J. A. KUHN,
Chairman.

Mr. Hoover, from committee on Public Grounds and Buildings reported as follows:

MR. PRESIDENT—

Your committee on Public Grounds and Buildings, have had:

H. B. 69.—An act to provide proper confinement of Territorial convicts.

Under consideration, and would respectfully report the same back without recommendation.

J. HOOVER,
Chairman.

Mr. Ferguson, from committee on Federal Relations reported as follows:

MR. PRESIDENT—

Your committee on Federal Relations, to whom was referred

H. B. 54.—An act to enable the Territorial Auditor to make just and equitable settlements between the Territory and the several counties thereof,

Have had the same under consideration and report the same back with amendments, and recommend that it do pass as amended.

E. C. FERGUSON,
Chairman.

Mr. Ferguson, from committee on Federal Relations, reported as follows:

MR. PRESIDENT—

Your committee on Federal Relations, to whom was referred:

H. B. 49.—An act making an appropriation for furnishing the offices of Territorial Auditor and Treasurer, with Books and Safes.

Have had the same under consideration and report the same back without recommendation.

E. C. FERGUSON,
Chairman.

Mr. Stewart, from committee on Military Affairs, reported as follows:

MR. PRESIDENT—

Your committee on Military Affairs, to whom was referred:

C. B. 94.—An act defining Incompatibility and Impotency.

Would respectfully submit the bill, accompanying this, and would recommeud the passage of the same.

DANIEL STEWART,
Chairman.

Mr. Stewart, from committee on Agriculture, reported:

Mr. PRESIDENT—

Your committee on Agriculture, to whom was referred,

H. B. 146.—An act relating to the measurement of charcoal.

Have had the same under consideration and report it back with the recommendation that the same do pass.

DANIEL STEWART,
Chairman.

Mr. Hanford, from committee on Judiciary, reported:

MR. PRESIDENT—

Your committee on Judiciary to whom was referred,

H. B. 59.—An Act to amend Section 33, of Chapter III, of an act entitled an act defining jurisdiction and practice in the Probate Courts of Washington Territory.

Have had the same under consideration, and report it back with the recommendation that it do not pass.

Your committee have also had under consideration,

H. B. 34.—An act to amend an act entitled an act to establish the amount and provide for the costs in certain cases, approved December 3, 1869.

C. B. 41.—An act for the removal of Civil officers otherwise than by impeachment.

And report the same back and recommend that it do pass.

C. H. HANFORD,
Chairman.

Mr. Hanford, from committee on Enrolled Bills, reported as properly enrolled,

C. B. 33.—An act relating to Liens.

Mr. Ferguson, from Select committee, reported as follows:

MR. PRESIDENT—

Your Select committee, to whom was referred:

H. B. 90.—An act defining the boundary between the counties of Island, San Juan, Whatcom and Snohomish,

Have had the same under consideration and report the same back, with a recommendation that it do pass.

E. C. FERGUSON,
J. A. KUHN,
Committee.

Mr. Ferguson, from Joint Committee of Conference, reported as follows:

MR. PRESIDENT—

Your Joint committee of Conference, to whom was referred,

H. B. 95.—An act to amend an act in relation to Territorial Treasurer, approved Nov. 29, 1871,

Beg leave to report that they have had the same under consideration and report the same back, with the following amendments: Strike out the word forty and insert twenty-five, in Section two, of said act. Strike out in Section three, the words fifteen hundred, and insert twelve hundred and fifty, and recommend that it do pass as proposed.

E. C. FERGUSON,
Chairman.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
November 6, 1877.

MR. PRESIDENT—

I am instructed by the House to inform the Council that the House has passed with amendment:

C. B. 57.—An act to provide for calling a Convention to frame a Constitution for a State of Washington.

And the same is herewith returned and concurrent action required.

R. G. O'BRIEN,
Chief Clerk.

INTRODUCTION OF BILLS.

Mr. Ferguson introduced,

C. B. 100.—An act to provide for the better publication of Official and Legal notices.

Bill was read twice and referred to committee on Printing.

C. B. 90.—An act to provide for the election of County and District Officers, in the Territory of Washington.

Made special order for 7:30 P. M. to-day.

(Mr. Kuhn in the chair.)

On motion of Mr. Reed, of Thurston,

C. B. 64.—An act to incorporate the town of Olympia.

Was taken up, and

On motion of Mr. Reed, of Thurston,

The Council refused to concur in House amendment to the bill, and the Clerk was instructed to notify the House of the action and ask the House to recede from said amendment.

H. B. 93.—An act relating to the duties of Territorial Treasurer,

Was taken from report of Conference, when

Mr. Ferguson moved to adopt the amendment, recommended by the committee on conference, and demanded the ayes and noes on the vote to excuse Mr. Hoover from voting,

Ayes—Messrs. Ferguson, Hanford, Kuhn, Ping, Reed, Stewart and Mr. President.—7.

Noes—Mr. Hathaway.—1.

Mr. Hoover was declared excused on vote to adopt amendment of committee.

Mr. Ferguson demanded the ayes and noes.

Ayes—Messrs. Ferguson, Kuhn, Ping, and Reed.—4.

Noes—Messrs. Hanford, Hathaway, Stewart and Mr. President.—4.

The Council refused to concur in amendment, and the bill was returned to the house with message.

Mr. Kuhn, from committee on engrossed bills reported:

C. B. 32.—An act to provide for the assessing and collecting of County and Territorial Revenue.

Correctly engrossed.

Mr. Hoover from committee on Printing, reported:

MR. PRESIDENT—

Your committee on Printing, would respectfully report back:

C. B. 100.—An act to provide for the better publication of Official and Legal notices.

And recommend that the same do not pass.

J. HOOVER,
Chairman.

Mr. Kuhn moved to take up:

C. B. 53.—An act to provide for the purchase of the reports of the decisions of the Supreme Court of Washington Territory and respecting the custody and distribution of the same.

And on reconsideration, and on passage of the bill, the roll was called.

Ayes—Messrs. Ferguson, Hanford, Hathaway, Hoover, Kuhn and Mr. President.—6.

Noes—Messrs. Ping, Reed and Stewart.—3.

C. B. 32.—An act to provide for the assessing and collecting County and Territorial Revenue.

Reported correctly engrossed was taken up and passed.

Ayes—Messrs. Ferguson, Hanford, Hathaway, Hoover, Kuhn, Ping, Reed and Stewart.—8.

Noes—Mr. President.—1.

On motion of Mr. Ping,

The Council took a recess till 2:30 P. M.

AFTERNOON SESSION.

Mr. President in the chair, a quorum present.

C. B. 70.—An act for the relief of William Billings.

Was taken up and passed.

Ayes—Messrs. Hanford, Hathaway, Hoover, Kuhn, Ping, Reed, Stewart and Mr. President.—8.

C. B. 73.—An act to locate Territorial road from Willopa river to Chehalis.

Having been engrossed was called up and passed.

Ayes—Messrs. Hanford, Hathaway, Hoover, Kuhn, Reed, and Mr. President.—6.

Noes—Mr. Ping.—1.

BILLS AND REPORTS.

C. M. 8.—In relation to removal of restrictions upon Foreign Capital.

Was taken up and read third time.

Mr. Hoover moved the indefinite postponement of the memorial.

Ayes—Messrs. Hoover, Kuhn, Ping and Reed.—4.

Noes—Messrs. Hanford, Hathaway, Stewart and Mr. President.—4.

Mr. Hathaway moved the previous question and demanded the ayes and noes on the vote.

Ayes—Messrs. Hanford, Hathaway and Stewart.—3.

Noes.—Messrs. Hoover, Kuhn, Ping, Reed and Mr. President.—5.

The memorial was lost.

C. B. 77.—An act prescribing Prison regulations,

Was taken up, and Mr. Stewart offered to amend by inserting after the word "Bible," in subdivision seven, page three, and one, of Elwood Evans' Address, known as the Centennial Address, and demanded the ayes and noes.

Ayes—Messrs. Hoover, Kuhn, Reed and Stewart.—4.

Noes—Messrs. Ferguson, Hanford, Hathaway, Ping and Mr. President.—5.

Amendment lost.

Mr. Hoover moved to amend by striking out "age and crime," in paragraph two and "uniform," in paragraph three, and demanded the ayes and noes.

Ayes—Messrs. Ferguson, Hoover, Kuhn, Reed and Stewart .—5.

Noes—Messrs. Hanford, Hathaway, Ping and Mr. President.—4.

The amendment was adopted.

The bill was read third time and passed.

Ayes—Messrs. Ferguson, Hanford, Hoover, Ping, Reed and Mr. President.—6.

Noes—Messrs. Hathaway, Kuhn and Stewart.—3.

C. B. 57.—An act providing for calling a convention to frame a Constitution for a State of Washington,

Was taken up from House message, and on question of concurrence in House amendment, the ayes and noes were demanded.

Noes—Messrs. Ferguson, Hanford, Hathaway, Hoover, Kuhn, Ping, Reed, Stewart and Mr. President.—9.

Council refused to concur.

Mr. Ferguson in the chair.

H. B. 69.—An act providing for the proper confinement of Territorial convicts.

Was taken up and Mr. Hanford moved to amend section one by striking out the words "Billings."

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
November 7, 1877.

MR. PRESIDENT—

I am instructed by the House to inform the Council that the House has passed, with amendments,

C. B. 52.—An act to amend an act entitled an act relating to Justices of the Peace and their jurisdiction.

C. B. 60.—An act to amend the Charter of the city of Seattle,

And the same are herewith returned and concurrent action on the amendments requested.

Also that the House has concurred in the Council amendments to,

H. B. 113.—An act to amend an act in relation to Territorial Auditor

And that the House has passed,

H. B. 80.—An act relating to receiving county warrants in payment of county taxes in Clarke county.

Substitute for

H. B. 149.—An act to repeal an act entitled an act to incorporate the city of Kalama.

H. B. 159.—An act donating the road property tax of San Juan county to the school fund of said county.

H. B. 160.—An act to amend an act entitled an act to provide for pilots in the straits of San Juan de Fuca.

Substitute for

H. B. 66.—An Act to amend an act entitled an act to provide for pilots for the Straits of Juan de Fuca.

H. B. 41.—An act in relation to the election of county commissioners and defining their duties in the counties of Clarke, Thurston, Klickitat, Yakima and Kitsap.

H. B. 163.—An act for the relief of E. L. Willey,

And the same are herewith returned for your consideration.

R. G. O'BRIEN,
Chief Clerk.

On the vote the ayes and noes were called for:

Ayes—Messrs. Ferguson, Hanford, Kuhn and Ping.—4.

Noes—Messrs. Hathaway, Hoover, Reed, Stewart and Mr. President.—5.

On motion of Mr. Kuhn,

Council took recess till 7:30 P. M.

EVENING SESSION.

The Council re-assembled at 7:40 P. M., a quorum present, the President in the chair.

Mr. Hanford moved that the Council do concur in House amendment to,

C. B. 60.—An act to amend the charter of the city of Seattle.

The motion prevailed, and the amendments were concurred in.

On motion of Mr. Hanford,

The Council refused to concur in the House amendment to,

C. B. 52.—An act to amend an act entitled an act relating to Justices of the Peace and defining their practice and jurisdiction, approved Nov. 13, 1873.

And the Clerk was notified to ask the House to recede from its action.

C. B. 69.—An act providing for the proper confinement of Territorial Convicts,

Pending, when recess was taken, was then resumed, and

Mr. Ferguson moved to amend Section 1, of the bill, by striking out the name of William Billings, and inserting that of L. V. Wyckoff, and by striking out "seventy cents" and inserting "sixty-five cents" in place.

Mr. Hathaway moved a division of the question.

On striking out the name of William Billings and inserting that of Wyckoff,

Mr. Reed demanded the ayes and noes.

The roll was called with the following result:

Ayes—Messrs. Ferguson, Hanford and Kuhn.—3.

Noes—Messrs. Hathaway, Hoover, Ping, Reed, Stewart and Mr. President.—6.

On striking out "seventy" and inserting "sixty-five."

Mr. Ferguson demanded the ayes noes, and the roll was called.

Ayes—Messrs. Ferguson, Hanford and Kuhn.—3.

Noes—Messrs. Hathaway, Hoover, Ping, Reed, Stewart, and Mr. President.—6.

The amendment being declared lost.

Mr. Hanford moved to strike out "six years," and insert "ten years."

Mr. Stewart demanded the ayes and noes.

Ayes—Messrs. Ferguson, Hanford, Kuhn and Ping.—4.

Noes—Messrs. Hathaway, Hoover, Reed, Stewart and Mr. President.—5.

The President declared the amendment lost.

Mr. Hanford moved to amend section 9, so as to have the Governor appoint the prison commissioners, subject to the consent of the Council, on which

Mr. Ferguson demanded the ayes and noes, and the roll was called with the following result:

Ayes—Messrs. Ferguson, Hanford, Kuhn and Ping.—4.

Noes—Messrs. Hathaway, Hoover, Reed, Stewart and Mr. President.—5.

The President declared the amendment lost.

The following message was received:

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
November 7, 1877.

MR. PRESIDENT—

I am instructed by the House to inform the Council that the House has passed,

C. J. R. 14.—Relative to the purchase of two new safes for the Territorial Auditor and Treasurer,

And announce as committee on part of the House, Messrs. McReavey, Long and Andrews.

C. B. 76.—An act to authorize counties to borrow money.

With certain amendments, and herewith returned the same, requesting concurrent action.

R. G. O'BRIEN,
Chief Clerk.

The President announced the following committee on,

C. J. R. 14.—In relation to the purchase of Safes for the offices of Territorial Auditor and Treasurer,

Messrs. Ferguson and C. A. Reed.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
November 7, 1877.

MR. PRESIDENT—

I am instructed by the House to inform the Council that the House refuses to recede from its amendment to:

C. B. 64.—An act to incorporate the town of Olympia,

And asks for a committee of Conference, and announces as said committee, on part of the House, Messrs. Ward and Horr, and asks the appointment of a committee of one, on part of the Council.

The bill is herewith returned.

R. G. O'BRIEN,
Chief Clerk.

On motion of Mr. Hathaway,

Mr. Reed, of Thurston, was appointed on the part of the Council, on

C. B. 64.—An act to incorporate the town of Olympia.

O. H B. 69.—

Pending when message was received, the bill was read third time and

On motion of Mr. Reed,

The bill was considered engrossed under suspension of rules and passed:

Ayes—Messrs. Hathaway, Hoover, Ping, Reed, Stewart and Mr. President.—6.

Noes—Messrs. Ferguson, Hanford and Kuhn.—3.

Title approved.

Mr. Stewart gave notice of reconsideration of the vote by which

H. B. 69.—An act providing for the proper confinement of Territorial convicts.

Passed the Council.

Mr. Hathaway, from committtee on Education, reported:

MR. PRESIDENT—

Your committee on Education to whom was referred,

H. B. 57.—An act to provide a system of Common Schools.

Have had the same under consideration and report the same back with the recommendation that it do pass with amendments.

M. R. HATHAWAY,
Of Committee.

On motion of Mr. Hanford,

The Council resolved into Committee of the Whole, with Mr. Hanford as chairman, to consider,

H. B. 57.—An act to provide a System of Common Schools.

Mr. Hanford, from Committee of the Whole, reported:

MR. PRESIDENT—

Your Committee of the Whole, have had under consideration:

H. B. 57.—An act to provide a System of Common Schools,

And report in favor of its passage, without amendments by the Council.

C. H. HANFORD,
Chairman.

Mr. Hoover moved to amend Section 58, line 2, by striking out the word "eight" and inserting "six."

Mr. Hanford moved to amend the amendment by striking out "four" and "eight" and inserting "three" and "six" respectively, on which Mr. Hathaway demanded the ayes and noes.

The roll was called.

Ayes—Messrs. Hanford, Hoover, Kuhn, Ping, Reed and Stewart.—6.

Noes—Messrs. Ferguson, Hathaway and Mr. President.—3.

Mr. Kuhn moved to amend Section 90, by exempting Jefferson county from the provisions of the act, on which Mr. Hathaway demanded the ayes and noes.

Ayes—Messrs. Kuhn, Ping, Reed and Stewart.—4.

Noes—Messrs. Ferguson, Hanford, Hathaway, Hoover and Mr. President.—5.

The bill was then read third time, considered engrossed under suspension of the rules and passed by the following vote:

Ayes—Messrs. Ferguson, Hanford, Hathaway, Hoover, Reed, Stewart and Mr. President.—7.

Noes—Messrs. Kuhn and Ping.—2.

The title of the bill was read and approved.

At 9:30 P. M., the Council adjourned till to-morrow at 10 A. M.

T. B. MERRY,
Chief Clerk.

Approved November 8, 1877,
T. M. REED,
President.

COUNCIL CHAMBER,
Thursday, November 8, 1877.

The Council met at 10 o'clock A. M., pursuant to adjournment.

The President in the chair.

The roll was called and the following members found to be present:

Present—Messrs. Hanford, Stewart, Hoover, Reed, Ping, Ferguson and Mr. President.—9.

Prayer was offered by Rev. A. Atwood.

The Journal of yesterday was read, and approved.

REPORTS OF STANDING COMMITTEES.

Mr. Hanford, from committee on Enrolled Bills, reported as correctly enrolled:

C. J. R. 13.—Concerning the time of adjournment of the Legislative Assembly.

C. M. 7.—For an extension of time in holding sessions of the Legislative Assembly.

C. B. 26.—An act for the relief of J. C. Horr and others.

C. B. 44.—An act to authorize the Board of Health for the Puget Sound District, to purchase a site for the purpose of a Pest House.

C. B. 47.—An act to Legalize and make valid the location of county roads.

C. B. 50.—Substitute for

C. B. 34.—An act to amend an act in relation to Roads, Ferries, Bridges, and Public Highways.

C. B. 54.—An act to protect persons selling Spirituous, Malt or Fermented liquors, from misrepresentation of minors, as respects their ages.

C. B. 68.—An act in relation to Streets and Alleys in unincorporated towns.

C. B. 71.—An act to authorize the County Commissioners of Pacific and Chehalis counties to appropriate money for the building of bridges and improvement of public highways.

C. B. 82.—An act for the protection of Quail in Walla Walla, Columbia, and Whitman counties.

C. B. 92.—An act for the relief of J. R. Thompson, J. P. Ludlow, D. N. Utter, and A. Atwood.

C. B. 95.—An act defining the boundaries of the city of Vancouver.

Mr. Ferguson, from committee on Indian Affairs reported:

MR. PRESIDENT—

Your committee on Indian Affairs to whom was referred:

H. B. 133.—An act in relation to Hogs in Snohomish county,

Have had the same under consideration and report the same back with a recommendation that it do pass.

E. C. FERGUSON,
Chairman.

Mr. Hanford, from committee on Judiciary, reported:

MR. PRESIDENT—

Your committee on Judiciary to whom was referred,

H. M. 12.—Relating to settlers upon unsurveyed lands.

Have had the same under consideration, and report it back with amendment and recommend it do pass after amendment.

C. H. HANFORD,
Chairman.

Mr. Hoover, from committee on Ways and Means, reported:

MR. PRESIDENT—

Your committee on Ways and Means, would respectfully report back.

C. B. 38.—An act concerning the collection of Poll taxes.

And recommend its passage.

J. HOOVER,
Chairman.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
November 8, 1877.

MR. PRESIDENT—

I am instructed by the House to inform the Council that the House has passed substitute for,

H. B. 128.—An act to regulate the government of the Hospital for Insane in Washington Territory.

H. B. 164.—An act defraying the incidental expenses of the office of Territorial Treasurer.

H. B. 165.—An act in relation to the Bonds of certain officers,

Herewith transmitted for your consideration, also

C. B. 89.—An act to repeal certain Sections of the Incorporation act of Port Townsend.

C. B. 96.—An act for the relief of John Saltar.

C. B. 98.—Substitute for

C. B. 91.—An act declaring the streets in the town of Port Townsend to be public highways.

C. B. 99.—An act to provide for the appointment of Immigration Agents.

And the same are herewith returned.

And that the House has receded from its amendments to

C. B. 52.—An act to amend an act entitled an act relating to Justices of the Peace and defining their practice and jurisdiction, approved Nov. 13, 1873.

And the same is herewith returned.

Also that the House has concurred in the Council amendment to

H. B. 57.—An act to provide for a System of Common Schools,

And that the Speaker has signed:

H. B. 67.—An act to provide for taking the Census of the Territory of Washington.

H. B. 100.—An act defining districts in San Juan county for the election of county commissioners.

H. B. 106.—An act regulating Salmon Fisheries in the waters of the Columbia river.

C. B. 33.—An act relating to Liens.

And the same are herewith transmitted for your signature.

And the House has refused to recede from its amendment to

C. B. 57.—An act to provide for calling a convention to frame a Constitution for a State of Washington.

And request a committee of conference, and announce as such committee on the part of the House, Messrs. Daniels, Whitney and La Du, the same is herewith returned.

And that the House has passed.

H. B. 87.—An act for the relief of Mr. W. H. Taylor.

And the same is herewith transmitted for your consideration.

R. G. O'BRIEN,
Chief Clerk.

On motion of Mr. Hoover,

The Election Law was made special order for 2:30 P. M. of this day.

BILLS AND REPORTS.

C. B. 94.—An act defining Incompatibility and Impotency.

Was taken from report of committee on Military Affairs, and the substitute reported by the committee, ruled out of order.

Mr. Stewart appealed from the decision of the chair.

Ayes—Messrs. Ferguson, Hanford, Hathaway, Hoover, Kuhn, Ping and Reed.—7.

Noes—Mr. Stewart.—1.

The chair was sustained.

On motion of Mr. Hoover,

H. B. 163.—An act for the relief of E. L. Willey.

Was taken up and read twice, and,

On motion of Mr. Hoover,

The bill was read third time under suspension of the rules, considered engrossed and put upon its passage.

Ayes—Messrs. Hanford, Hathaway, Hoover, Kuhn, Ping, Reed and Mr. President.—7.

Noes—Mr. Ferguson.—1.

The title was approved.

On motion of Mr. Hoover,

H. B. 86.—An act for the relief of J. T. Hicklin.

Was taken from report of committee on Claims, read third time, considered engrossed and placed upon its passage.

Ayes—Messrs. Hathaway, Hoover, Kuhn, Ping, Reed, Stewart and Mr. President.—7.

Noes—Mr. Ferguson.—1.

Title of the bill approved.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
November 8, 1877.

MR. PRESIDENT—

I am instructed by the House to inform the Council that the House has passed:

C. M. 9.—In regard to School Lands in Washington Territory.

C. B. 59.—An act to amend an act entitled an act to provide for the protection of Game, approved Nov. 12, 1875.

With amendments, and the same is herewith returned and concurrence requested.

C. B. 77.—An act prescribing Prison regulations,

Herewith returned.

H. B. 139.—An act declaring a certain road to be a Territorial road.

H. B. 150.—An act authorizing William Jackson, to construct a warehouse at Arkansas Landing in Cowlitz county, Washington Territory.

And the same are herewith transmitted.

R. G. O'BRIEN,
Chief Clerk.

H. B. 78.—An act for the relief of Lewis county, Washington Territory, appropriating the amount of its Territorial Tax for the years 1877 and 1878, to said county for the building of bridges therein.

Was read twice, and

And on motion of Mr. Hathaway,

Referred to committee on Claims.

C. B. 59.—An act to amend an act for the protection of Game,

Was taken up.

Mr. Hoover moved to concur in House amendment to bill.

Mr. Kuhn moved to amend by laying bill on the table till 2:30 P. M., of this day.

Mr. Kuhn introduced.

C. B. 101.—An act in relation to Roads and Highways in the counties of Jefferson, King and Pierce.

On motion of Mr. Kuhn,

Council took recess till 2 P. M.

AFTERNOON SESSION.

Council reassembled at 2 P. M., the President in the chair.

H. B. 72.—An act in relation to Grand and Petit Jurors.

Was taken up and read third time, and,

On motion of Mr. Hoover,

The rules were suspended, bill read third time and passed.

Ayes—Messrs. Hathaway, Hoover, Ping, Reed and Mr. President.—5.

Mr. Hathaway, from committee on Claims, reported:

MR. PRESIDENT—

Your committee on Claims to whom was referred.

H. B. 78.—An act for the relief of Lewis county, Washington Territory, appropriating the amount of its Territorial tax for the year A. D., 1877, and the year 1878, to said county for the building of Bridges therein.

Have had the same under consideration and report the same back without recommendation.

M. R. HATHAWAY,
Chairman.

H. B. 78.—An act for the relief of Lewis county, Washington Territory, appropriating the amount of its Territorial tax for the year A. D., 1877, and the year 1878, to said county for the building of Bridges therein.

Was taken from the report of the committee on Claims, read third time under suspension of rules and passed.

Ayes—Messrs. Hanford, Hoover, Kuhn, Reed and Mr. President.—5.

Noes—Mr. Hathaway.—1.

H. B. 30.—An act for the relief of Tacoma Lodge No. 4, I. O. G. T.

Was read twice and referred to committee on Claims.

H. B. 119.—An act relating to Estrays.

Was read twice and referred to committee on Agriculture.

H. B. 104.—An act for the relief of Fred S. Holmes.

Was read twice, and,

On motion of Mr. Hoover,

The rules were suspended, the bill read third time and lost.

Ayes—Messrs. Hathaway and Mr. President.—2.

Noes—Messrs. Hanford, Hoover, Kuhn, Ping and Stewart.—5.

H. B. 105.—An act to amend an act in relation to crimes and punishments and proceedings in criminal cases.

The rules were then suspended, the bill read third time,

On motion of Mr. Hoover,

Was indefinitely postponed.

H. B. 10.—An act to amend an act entitled an act to provide for assessing and collecting Territorial and county revenue.

Was read twice and laid on the table subject to call.

On motion of Mr. Hoover,

C. B. 90.—An act providing for election in the several counties of the Territory.

Was made special order for 7 o'clock P. M.

H. B. 131.—An act in relation to Roads and Bridges in Klickitat county.

Read twice and,

On motion of Mr. Hathaway,

The bill was placed at the bottom of the file.

H. B. 23.—An act to provide for the payment of Surveyors and Viewers in Walla Walla county.

Was read twice and referred to committee on Agriculture.

On motion of Mr. Hoover,

The Council concurred in House amendment to,

C. B. 59.—An act to amend an act for the protection of Game.

Mr. Hathaway, from committee on Claims reported:

MR. PRESIDENT—

Your committeee on Claims to whom was referred,

H. B. 30.—An act for the relief of the Board of Trustees of Tacoma Lodge No. 4, I. O. G. T.

Have had the same under consideration and report the

same back with the recommendation that it pass with amendments.

M. R. HATHAWAY,
Chairman.

H. B. 30.—An act for the relief of Tacoma Lodge, I. O. G. T.

Was taken up from report of committee on Claims, and read third time and passed.

Ayes—Messrs. Hanford, Hathaway, Hoover, Kuhn, Ping, Reed and Stewart.—7.

Mr. Hathaway in the chair.

Substitute for

H. B. 80.—An act relating to receiving county warrants in payment of county taxes in Clarke county.

Was read twice.

On motion of Mr. Hoover,

The bill was read third time and passed.

Ayes—Messrs. Hanford, Hathaway, Hoover, Kuhn, Ping, and Stewart.—6.

Mr. Hoover moved that all bills be considered engrossed, unless otherwise ordered.

Motion carried.

H. B. 41.—An act in relation to the election of county commissioners and defining their duties in the counties of Clarke, Thurston, Klickitat, Yakima and Kitsap.

Was read twice and referred to the delegation from the counties of Clarke, Thurston, Klickitat, Yakima and Kitsap.

H. B. 159.—An act donating the road property tax of San Juan county to the school fund of said county.

Was read twice, rules suspended and passed.

Ayes—Messrs. Ferguson, Hanford, Hathaway, Hoover, Kuhn, Ping, Reed, Stewart and Mr. President.—9.

H. B. 149.—An act to repeal an act entitled an act to disincorporate the city of Kalama.

Was read twice and referred to committee on counties.

H. B. 164.—An act to defray Incidental expenses of the office of the Territorial Treasurer.

Was read twice.

Mr. Hoover moved to indefinitely postpone the bill.

Ayes—Messrs. Hanford, Hoover, Kuhn and Stewart.—4.

Noes—Messrs. Ferguson, Hathaway, Ping, Reed and Mr. President.—5.

The motion was lost.

Mr. Hoover moved to refer the bill to committee on Ways and Means, and demanded the ayes and noes.

Ayes—Messrs. Hanford, Hoover, Kuhn, Ping and Stewart.—5.

Noes—Messrs. Ferguson, Hathaway, Reed and Mr. President.—4.

H. B. 150.—An act authorizing William Jackson to construct a warehouse at Arkansas Landing.

Was read twice and,

On motion of Mr. Hanford,

The rules were suspended, the bill read third time and put on its passage.

Ayes—Mr. Stewart.—1.

Noes—Messrs. Ferguson, Hanford, Hathaway, Hoover, Kuhn, Ping, Reed and Mr. President.—8.

H. B.139.—An act declaring a certain road to be a Territorial road.

Was read twice and,

On motion of Mr. Hoover,

The bill was read third time and put upon its passage.

Ayes—Messrs. Ferguson, Hanford, Hathaway, Hoover, Ping, Reed, Stewart and Mr. President.—8.

C. B. 76.—An act to enable counties to borrow money.

Was taken up from House message, and on the question of concurrence in the House amendments to the bill, the Council refused to concur, and Mr. Hathaway was appointed a committee of one on conference with House committee.

REPORT OF SPECIAL JOINT COMMITTEE.

To whom was referred the matter of procuring two safes for the use of the Territorial Auditor and Treasurer.

Mr. President—

Your committee have had the same under consideration and make the following report:

We invited the agent of the Hall safe, and the agent of the McMeal and Urban safe to submit bids, to furnish safes delivered on the wharf at Olympia. Upon examining the propositions of said agents, we have concluded to recommend the Hall safe, to wit: One fire-proof safe, inside measurement 25 inches by 24½ by 16 inches deep, weight, 2700 lbs., one fire and burglar proof safe, inside measurement, 31 inches by 24½ inches, 17 inches deep, weight, 4200 lbs., said safe to be delivered on the wharf at Olympia for ($1000) one thousand dollars, Territorial warrants.

Your committee recommend the purchase of the safes as above set forth.

E. C. FERGUSON,
C. A. REED,
Committee on part of the Council.

Mr. Hoover moved the offer be accepted, the report adopted, and the committee discharged.

Mr. Ferguson, from special committee on Expenditure reported as follows:

MR. PRESIDENT—

Your Special Joint committee, appointed to expend the two hundred dollars ($200) appropriated by this body, for the purpose of defraying the Incidental Expenditure of the Legislature, make the following report:

To J. C. Horr, for two dozen lamp chimneys.....	$ 3 00
" American Pipe Co. for wood.....	10 00
" Saml. Williams, for Kerosene, Candles, &c.....	17 75
" T. G. Lowe, & Co. for Stationery, &c.....	160 83
Total amount expended.....	$ 191 58

E. C. FERGUSON,
Committee on part of Council.

On motion of Mr. Hanford,

The report was received, and a committee appointed, to pay the above amounts.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
November 8, 1877.

MR. PRESIDENT—

I am instructed by the House to inform the Council, that the House has adopted the report of the committee on Conference, on

C. B. 57.—An act to provide for calling a Convention to frame a Constitution for a State of Washington, &c.

And receded from their amendment to Section two, and that portion limiting the term of the session, herewith returned, and that the Speaker has appointed Messrs. Whitson and Stiles, to confer with the committe of the Council, on

C. B. 76.—An act to enable certain counties to borrow money.

R. G. O'BRIEN,
Chief Clerk.

On motion of Mr. Hanford,

The Council concurred in the remaining House amendments to,

H. B. 57.—An act to provide a system of Common Schools.

Substitute for,

H. B. 128.—An act to regulate the government of the Hospital for the Insane.

Mr. Hanford moved to strike out married man, and the ayes and noes were demanded.

Ayes—Messrs. Hanford, Hathaway, Hoover, Kuhn, Ping and Reed.—6.

Noes—Messrs. Stewart and Mr. President.—2.

Council took recess till 7:30 P. M.

EVENING SESSION.

Mr. Hoover, by leave, introduced,

C. B. 102.—An act for relief of Lock and Safe Company.

Was read twice, the rules suspended, bill read third time and passed,

Ayes—Messrs. Ferguson, Hanford, Hathaway, Hoover, Kuhn, Ping, Reed, Stewart and Mr. President.—9.

Mr. Kuhn introduced.

C. B. 103.—An act in relation to Intoxication.

Was read twice and,

On motion of Kuhn,

The bill was read third time and under suspension of the rules and placed upon its passage.

Ayes—Messrs. Ferguson, Hanford, Hathaway, Hoover, Kuhn, Ping, Reed and Mr. President.—8.

Noes—Mr. Stewart.—1.

Mr. Kuhn, from Delegation committee on

C. B. 101.—An act in relation to Roads and Highways in the counties of Jefferson, King and Pierce.

Reported in favor of passage, the bill was taken from the report, read third time and put upon its passage.

Ayes—Messrs. Ferguson, Hanford, Hathaway, Hoover, Kuhn, Ping, Reed, Stewart and Mr. President.—9.

Messrs. Hathaway and Reed, from committee on Ways and Means, reported as follows:

MR. PRESIDENT—

Your committee on Ways and Means to whom was referred,

H. B. 164.—An act defraying the incidental expenses of the office of Territorial Treasurer.

Have had the same under consideration and report the same back without recommendation.

M. R. HATHAWAY,
C. A. REED,
Of Committee.

Mr. Hathaway, from committee on Conference, reported:

MR. PRESIDENT—

Your committee on Conference, to whom was referred,

C. B. 76.—An act to enable certain counties to borrow money,

Met with the Committee on part of the House, and have agreed that Yakima be stricken from the bill, and report the same back with recommendation that Council concur after amendment.

M. R. HATHAWAY,
Council Committee.

Mr. Hathaway, from special committee, reported as follows:

MR. PRESIDENT—

Your special committee to whom was referred,

H. B. 41.—An act in relation to the election of County Commissioners and defining their duties in the counties of Clarke, Thurston, Klickitat, Yakima and Kitsap.

Have had the same under consideration and report it back with the recommendation that it do pass.

M. R. HATHAWAY,
Chairman.

Mr. T. M. Reed, from special committee on conference, reported:

MR. PRESIDENT—

Your committee of conference on the part of the Council on the merits of

C. B. 64.—An act to Incorporate the town of Olympia,

Have unanimously agreed upon, and would respectfully recommend that "five" be stricken out and "four" inserted in lieu thereof, in subdivision applying to levy of town tax, and would also recommend the following clause be added to Section fourteen.

T. M. REED,
Chairman.

H. B. 41.—An act to amend an act entitled an act for the election of County Commissioners, and defining their duties, approved Dec. 1, 1869.

Was taken from Delegation report, and read third time and placed upon its passage:

Ayes—Messrs. Ferguson, Hanford, Hathaway, Hoover, Ping, Reed, Stewart and Mr. President.—8.

H. B. 129.—An act to provide and pay for an additional Enrolling Clerk for the Sixth Biennial Session of the Legislative Assembly of Washington Territory.

Was taken from the table, and placed upon its passage.

Ayes—Messrs. Ferguson, Hanford, Hathaway, Hoover, Kuhn, Ping, Reed, Stewart and Mr. President.—9.

Mr. Hathaway, from committee on Education, called up,

H. B. 114.—An act in relation to the location of the County Seat of Klickitat county,

Was amended, read third time and put upon its passage.

Ayes—Messrs. Ferguson, Hathaway, Hoover, Ping, Reed, Stewart and Mr. President.—7.

Noes—Mr. Kuhn.—1.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
November 8, 1877.

MR. PRESIDENT—

I am instructed by the House to inform the Council that the Speaker has signed the following bills:

H. B. 109.—An act for the relief of E. P. Boyles.

H. B. 113.—An act to amend an act entitled an act in relation to Territorial Auditor, approved November 29, 1871.

H. B. 123.—An act to prescribe the tenure of office in Washington Territory.

H. B. 126.—An act to amend an act entitled an act defining lawful fences in Yakima and Whitman counties.

H. B. 73.—An act to repeal an act entitled an act establishing a uniform Standard of Weights and Measures, approved December 2, 1869,

H. B. 108.—An act to apportion the Legislative Assembly.

H. B. 69.—An act providing for the proper confinement of Territorial Convicts.

H. B. 112.—An act to authorize the Board of County Commissioners of Jefferson county, to borrow money,

H. B. 83.—An act to amend an act entitled an act relative to crimes and punishments, and proceedings in criminal cases, approved Nov. 10, 1873.

H. B. 162.—An act for the relief of E. L. Willey.

H. B. 153.—An act to provide for the recovery of certain moneys, raised to aid in the construction of a Wagon Road across the Cascade mountains.

H. B. 86.—An act for the relief of J. T. Hicklin.

H. B. 121.—An act fixing the rate to be paid for public printing, and providing for auditing the accounts of the public printer.

C. B. 71.—An act to authorize the County Commissioners of Pacific and Chehalis counties to appropriate money for the building of bridges and improvement of public highways.

C. B. 95.—An act defining the boundaries of the city of Vancouver.

C. B. 44.—An act to authorize the Board of Health for the Puget Sound District, to purchase a site for the purpose of a Pest House.

C. B. 68.—An act in relation to Streets and Alleys in unincorporated towns.

C. B. 92.—An act for the relief of J. R. Thompson, J. P. Ludlow, D. N. Utter, and A. Atwood.

C. B. 54.—An act to protect persons selling Spirituous, Malt or Fermented liquors, from misrepresentation of minors, as respects their ages.

C. B. 47.—An act to Legalize and make valid the location of county roads.

C. B. 34.—An act to amend an act in relation to Roads, Ferries, Bridges, and Public Highways.

C. B. 82.—An act for the protection of Quail in Walla Walla, Columbia and Whitman counties.

C. B. 26.—An act for the relief of J. C. Horr and others.

Memorial relative to Legislative expenses unprovided for by Congress.

H. M. 9.—Relative to establishing a U. S. Land Office at Port Townsend.

C. M. 7.—Praying for the extension of time in holding Sessions of the Legislative Assembly of Washington Territory.

And the same are herewith submitted for your signature.

R. G. O'BRIEN,
Chief Clerk.

H. B. 128.—An act to regulate the government of the Hospital for Insane in Washington Territory.

Was taken up, read twice and under suspension of the rules, was read third time and put upon its passage:

Ayes—Messrs. Ferguson, Hanford, Hathaway, Hoover, Kuhn, Ping, Reed and Mr. President.—8.

Noes—Mr. Stewart.—1.

Mr. President announced that he had signed the bills reported in House message,

H. B. 164.—An act to defray the incidental expenses of the offices of Territorial Treasurer.

Was taken from report of committee on Ways and Means, read third time and put upon its passage:

Ayes—Messrs. Ferguson, Hathaway, Ping, Reed and Mr. President.—5.

Noes—Messrs. Hanford, Hoover, Kuhn and Stewart.—4.

Mr. Hanford moved the Council go into executive session, with open doors.

Mr. Hathaway moved to amend, by making all nominations to be considered with open doors.

The amendment was lost.

The question recurring upon the vote,

On motion of Mr. Hanford,

H. B. 34.—An act to amend an act entitled an act to establish the amount and provide for the costs in certain cases, approved December 3, 1869.

On motion of Mr. Hoover,

The bill was indefinitely postponed.

H. B. 63.—An act in relation to the Bonds of Territorial Officers.

Was, on motion, placed at the foot of the file.

Mr. Hathaway in the chair.

H. B. 42.—An act to repeal an act to regulate the running at large of Sheep in San Suan county.

Was taken up, read third time and placed upon its passage.

Ayes—Messrs. Ferguson, Hanford, Hathaway, Hoover, Kuhn, Ping, Reed and Stewart.—8.

H. B. 12.—Hn act to make the sheriff of Lewis and San Juan counties *ex officio* Assessors.

Was taken up, read third time and put upon its passage.

Ayes—Messrs. Hanford, Hathaway, Kuhn, Ping, Reed and Stewart.—6.

Noes—Mr. Ferguson.—1.

C. B. 78.—An act to provide for propagation of Food Fish,

Was read third time and laid on the table.

C. B. 38.—An act concerning the collection of Poll taxes.

Was read third time and put upon its passage.

Ayes—Messrs. Ferguson, Hanford, Hathaway, Hoover, Kuhn, Ping, Reed and Stewart.—8.

H. B. 147.—An act authorizing the Territorial Treasurer to refund certain moneys.

Was read twice, under suspension of the rules, bill was read third time and put upon its passage.

Ayes—Mr. Ferguson.—1.

Noes—Messrs. Hanford, Hathaway, Hoover, Kuhn, Ping, Reed and Stewart.—7.

The bill was lost.

Mr. Stewart gave notice of reconsideration.

C. B. 41.—An act for the removal of Civil Officers, otherwise than by impeachment,

Was read third time and laid on the table subject to call of the Council.

H. B. 146.—An act relating to the measurement of charcoal.

Was read third time and put upon its passage.

Ayes—Messrs. Ferguson, Hanford, Hathaway, Hoover, Kuhn, Ping, Reed and Stewart.—8.

H. B. 49.—An act making an appropriation for furnishing the offices of Territorial Treasurer and Auditor with books and safes,

Was laid on the table, subject to call of Council.

H. B. 54.—An act to enable the Territorial Auditor to make Just and Equitable settlements between the Territory and the several counties therein,

Was read third time and passed.

Ayes—Messrs Ferguson, Hanford, Hathaway, Hoover, Kuhn, Ping, Reed, Stewart and Mr. President.—9.

At 10:30 P. M. Council adjourned till 9:30 A. M. to-morrow.

T. B. MERRY,
Chief Clerk.

Approved November 9, 1877,
T. M. REED,
President.

COUNCIL CHAMBER,
Friday, November 9, 1877.

The Council met at 9:30 A. M.

The President in the chair.

The roll was called and the following members found to be present:

Present—Messrs. Ferguson, Hanford, Hathaway, Hoover, Kuhn, Ping, Reed and Mr. President.—8.

REPORTS OF STANDING COMMITTEES.

Mr. Hanford, from committee on Judiciary, reported:

MR. PRESIDENT—

Your committee on Judiciary, to whom was referred,

C. B. 12.—An act to amend an act entitled an act to regulate the practice and proceedings in civil actions.

C. B. 7.—An act to provide for the specific performance of certain contracts.

Have had the same under consideration, and report it back and recommend that the same do not pass.

C. H. HANFORD,
Chairman.

Mr. Hanford, from committee on Enrolled bills, reported as correctly enrolled:

C. B. 76.—An act to authorize counties to borrow money.

C. B. 77.—An act prescribing Prison regulations.

C. B. 96.—An act for the relief of John Saltar,

C. B. 98.—Substitute for

C. B. 91.—An act declaring the streets in the town of Port Townsend to be public highways.

C. B. 99.—An act to provide for the appointment of Immigration agents.

C. J. R. 14.—In relation to the purchase of Safes for the offices of Territorial Auditor and Treasurer,

Mr. Hanford introduced,

C. R. —In regard to printing copies of Council Journal.

Resolved, By the Council that the public printer is hereby ordered to print three hundred copies of the Journal of the Council of the Sixth Biennial Session, and three hundred copies each of the Civil Practice act, and Revenue Law passed at the Sixth Biennial Session of the Legislative Assembly, the copies of the Civil Practice act and Revenue Law to be printed in the style and form as the same are to be printed for publication in the volume of Laws of the present session, and to be delivered to the Secretary of the Territory on or before the fifteenth day of December, 1877, and on demand said Secretary shall deliver to each member of the Council thirty-three copies of said practice act and Revenue Law.

C. B. 7.—An act to provide for the performance of civil contracts,

Was taken up and indefinitely postponed.

C. B. 12.—An act to amend Civil Practice act,

Was taken up, and

On motion of Mr. Hoover,

Was indefinitely postponed.

H. B. 115.—An act to provide for the management of the Territorial Library, was

On motion of Mr. Hoover,

Indefinitely postponed.

Mr. Hoover moved to reconsider the vote by which,

H. B. 147.—An act authorizing the Territorial Treasurer to refund certain moneys.

Was defeated,

Motion carried.

The question being, shall the bill pass?

Ayes—Messrs. Ferguson, Hoover, Kuhn, Ping, Reed and Mr. President.—6.

H. B. 90.—An act defining the boundary between the county of Island and the counties of San Juan, Whatcom and Snohomish,

Was read third time and passed,

Ayes—Messrs. Ferguson, Hanford, Hathaway, Kuhn, Ping, and Mr. President.—7.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
November 9, 1877.

MR. PRESIDENT—

I am instructed by the House to inform the Council that the House has passed:

H. M. 23.—Relative to free navigation of the Chehalis River.

H. B. 28.—An act to amend an act in relation to Roads, Ferries, Bridges and travel on public highways, approved Dec. 2, 1869.

H. B. 65.—An act for the protection of Deer, in the counties of Jefferson and Clallam.

H. B. 77.—An act for the relief of J. C. Kelly, Thomas Deaby and John Fitzpatrick.

H. B. 97.—An act appropriating funds for the expenses of the Board of Immigration.

H. B. 124.—An act for the relief of Henry L. Chapman and others.

H. B. 125.—An act to provide for the payment of Storage and Transportation of arms.

H. B. 134.—An act to provide for the training of Indigent Mute and Blind children.

H. B. 136.—An act re-embursing the Regents of the Territorial University, for expenses incurred in attending meetings of the Board.

H. B. 137.—An act providing a compensation for Regents of the Territorial University.

H. B. 138.—An act relating to the improvement of tide lands.

H. B. 140.—An act to provide and pay for the printing and distribution of certain laws.

H. B. 143.—An act in relation to deer in Island county.

H. B. 151.—An act to regulate the time and manner of transferring Territorial Funds from County to Territorial Treasurer.

H. B. 154.—An act to amend an act in relation to Mortgages on Personal property, approved Nov. 12, 1875.

And the same are herewith transmitted for your consideration, also

C. B. 79.—An act to appropriate money for the University and to provide free scholarships in said Territory.

C. B. 70.—An act for the relief of William Billings,

C. B. 72.—An act for the relief of J. P. Judson,

C. B. 66.—An act to provide for raising revenue for road purposes in Columbia and Walla Walla counties with amendments.

C. B. 73.—An act to locate Territorial road from Willopa river to Chehalis.

C. B. 53.—An act to provide for the purchase of the reports of the decisions of the Supreme Court of Washington Territory and respecting the custody and distribution of the same.

And the same are herewith returned and concurrence in the amendments requested.

And of introduction and passage of

H. B. 166.—An act for the relief of the Clerks of the present Legislative Assembly.

H. B. 167.—An act in relation to delinquent road tax, in Yakima county,

H. B. 146:—An act authorizing the construction of a wharf, to deep water, in the town of Olympia, W. T.

Herewith transmitted.

R. G. O'BRIEN,
Chief Clerk.

C. B. 80.—An act in relation to Territorial Board of Equalization.

Was read third time,

Mr. Hoover moved that it be indefinitely postponed,

Motion lost.

On motion of Mr. Kuhn,

The bill was amended, read third time and passed.

Ayes—Messrs. Ferguson, Hanford, Hathaway, Kuhn and Mr. President.—5.

Noes—Messrs. Hoover, Ping and Reed.—3.

Title approved.

H. B. 59.—An act to amend Section thirty-three of chapter three, defining jurisdiction of Probate court,

Was read third time, and

On motion of Mr. Hoover,

Laid on the table.

C. B. 63.—An act in relation to bonds of Territorial officers.

Was taken up, read third time and passed.

Ayes—Messrs. Ferguson, Hanford, Hathaway, Hoover, Ping, Reed and Mr. President.—7.

H. B. 133.—An act relative to Hogs in Snohomish county, and in certain Townships in Klickitat county.

Was read third time and passed.

Ayes—Messrs. Ferguson, Hathaway, Hoover, Ping, Reed, and Mr. President.—6.

Noes—Mr. Hanford.—1

C. B. 100.—An act to provide for the better publication of Official and Legal notices.

Was laid on table.

H. B. 158.—Substitute for

C. B. 24.—An act to amend an act creating a Board of Pilot Commissioners and Pilots on Columbia River and Bar, approved Nov. 29, 1871.

Was taken up, and read third time, under suspension of rules, and put upon its passage.

Ayes—Messrs. Ferguson, Hathaway, Hoover, Kuhn, Ping, Reed and Mr. President.—7.

H. B. 87.—An act for the relief of W. H. Taylor.

Was taken up, read three times and placed upon its passage.

Ayes—Messrs. Hoover and Ping.—2.

Noes—Messrs. Ferguson, Hanford, Kuhn, Reed and Mr. President.—5.

The bill was lost.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
November 9, 1877.

MR. PRESIDENT—

I am instructed by the House to inform the Council that the House has refused to concur in the amendments of the Council to,

H. B. 128.—An act regulating the government of the Hospital for the Insane.

And ask the Council to recede from their amendment, the bill is herewith returned, and that the House has passed,

H. B. 168.—Substitute for

C. B. 14.—An act relating to deeds.

And the same is herewith transmitted and concurrence requested.

R. G. O'BRIEN,
Chief Clerk.

The question recurring, shall the Council recede from the amendment?

The Council refused to recede and asked the House for Conference, and the President appointed on said committee on part of the Council, Messrs. Hoover and Hathaway.

H. B. 131.—An act in relation to roads and bridges in Klickitat county,

Was taken up and laid on the table.

C. B. 90.—An act to provide for the election of County and District officers, in the Territory of Washington,

Was taken up and laid on the table.

H. B. 167.—An act in relation to delinquent road tax, in Yakima county,

Was read third time and passed:

Ayes—Messrs. Ferguson, Hanford, Hathaway, Hoover, Kuhn, Reed and Mr. President.—7.

H. B. 46.—An act authorizing a wharf to deep water in Olympia,

Was read twice and

On motion of Mr. Reed,

The bill was indefinitely postponed.

(Mr. Ferguson in the chair.)

Mr. Reed, of Thurston, introduced.

C. B. 104.—An act to aid in the construction of a railroad from the city of Seattle, through the cities Walla Walla and Dayton, to Colfax,

Was read twice and under suspension of the rules, read third time and passed:

Ayes—Messrs. Ferguson, Hanford, Hathaway, Hoover, Kuhn, Ping, Reed and Mr. President.—8.

The following message was received from the house:

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
November 9, 1877.

MR. PRESIDENT—

I am instructed by the House to inform the Council that the House has refused to concur in the Council amendments to,

H. B. 114.—An act in relation to the location of the County Seat of Klickitat county,

And asks a committee of conference, and announces the appointment of Messrs. Percival and Whitney, on the part of the House, and the bill is herewith returned, also in the case of,

H. B. 30.—An act for the relief of the Board of Trustees of Tacoma Lodge, No. 4, I. O. G. T.

The House refuses to concur in the Council amendment, and requests that the Council recede from the same.

The bill is herewith returned.

And the House has appointed as committee of conference upon,

H. B. 128.—An act to regulate the government of the Hospital for Insane in Washington Territory.

Messrs. Horr, Tibbitts and McReavey.

R. G. O'BRIEN,
Chief Clerk.

The President announced as committee of conference on

H. B. 114.—An act in relation to the location of the county seat of Klickitat county,

Messrs. Hathaway and Hoover.

The Council refused to recede from its amendment to

H. B. 30.—An act for relief of Tacoma Lodge, I. O. G. T.

On motion of Mr. Ping,

The House amendments to,

C. B. 66.—An act raising revenue for road purposes in Columbia county.

Were concurred in

On motion of Mr. Hanford,

C. B. 72.—An act for the relief of J. P. Judson.

C. B. 73.—An act to locate a Territorial road from the Willopa River to Chehalis Station, in Lewis county.

C. B. 79.—An act in relation to Territorial University.

Having been properly engrossed, were allowed to stand as the enrolled bills, ready for signature.

H. B. 106.—An act for the relief of the Clerks of the Legislative Assembly,

Was read three times under suspension of the rules and passed by the following vote:

Ayes—Messrs. Hanford, Kuhn, Ping, Reed, and Mr. President.—5.

Title read and approved.

H. B. 28.—An act to amend an act concerning roads and highways,

Was laid on the table, subject to call.

Mr. Hoover, from committee of Conference, upon,

H. B. 128.—An act to regulate the government of the Hospital for the Insane.

Made a report which advised that the Council recede from its amendments to Sections two and three, and that amendment one be concurred in by the House.

H. B. 65. (Substitute)—An act for the protection of Deer,

Was read three times under suspension of the rules and passed:

Ayes—Messrs. Ferguson, Hanford, Hoover, Kuhn, Ping, Reed and Mr. President.—7.

Title approved.

H. B. 77.—An act for the relief of J. C. Kelly, Thomas Deaby and John Fitzpatrick,

Was read twice, and

On motion of Mr. Hanford,

The rules were suspended, the bill read third time and passed:

Ayes—Messrs. Hanford, Hoover and Mr. President.—3.

Noes—Messrs. Kuhn and Ping.—2.

Title approved.

H. B. 97.—An act to appropriate money for Board of Immigration,

Was read twice and laid on the table.

H. B. 125.—An act to provide payment for transportation and storage of arms.

Was read twice and referred to committee on Ways and Means.

H. B. 124.—An act for the relief of H. L. Chapman, and others.

Was read twice, and referred to committee on Ways and Means.

Mr. Hoover made the motion that,

H. B. 134.—An act to provide for the training of Indigent Mute and Blind children.

Be taken up, the bill was then read third time and passed.

On motion of Mr. Hoover,

Council took recess till 2 P. M.

AFTERNOON SESSION.

The Council reassembled at 2 P. M., the President in the chair and a quorum present.

REPORTS OF STANDING COMMITTEES.

Mr. Hanford, from committee on Enrolled bills, reported as correctly enrolled:

C. B. 52.—An act to amend an act entitled an act relating to Justices of the Peace and their jurisdiction.

C. B. 57.—An act to provide for calling a Convention to frame a Constitution for a State of Washington.

C. B. 59.—An act to amend an act for the protection of Game.

C. B. 60.—An act to amend the charter of the city of Seattle.

C. B. 70.—An act for the relief of William Billings.

C. B. 72.—An act for the relief of J. P. Judson.

C. B. 73.—An act to locate a Territorial Road from Willopa River, in Pacific county to Chehalis Station, in Lewis county,

C. B. 79.—An act to appropriate money for the University of Washington Territory, and to provide for free Scholarships in said Territory,

C. M. 12.—

C. B. 87.—An act to repeal certain acts and sections of acts relating to the incorporation of Port Townsend,

And ready for the Speaker's signature.

On motion of Mr. Kuhn,

The Council concurred in House amendments to

C. B. 37.—An Act to amend an act entitled an act defining the jurisdiction and practice in the Probate courts of Washington Territory, approved Nov. 11, 1873.

Mr. Hathaway, from committee on Conference, reported back,

H. B. 114.—An act to locate the county seat of Klickitat county,

With recommendation that the Council amendment in line 2, be changed from "two-thirds" to "three-fifths."

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
November 9, 1877.

MR. PRESIDENT—

I am instructed by the House to inform the Council that the Speaker has signed:

H. B. 164.—An act defraying the incidental expenses of the office of Territorial Treasurer.

H. B. 129.—An act to provide and pay for an additional Enrolling Clerk for the Sixth Biennial Session of the Legislative Assembly of Washington Territory.

H. B. 159.—An act donating the road property tax of San Juan county to the school fund of said county.

H. B. 80.—An act relating to receiving county warrants in payment of county taxes in Clarke county.

H. B. 72.—An act in relation to Grand and Petit Jurors.

H. B. 78.—An act for the relief of Lewis county, Washington Territory, appropriating the amount of its Territorial tax for the year A. D., 1877, and the year 1878, to said county for the building of Bridges therein.

C. B. 77.—An act prescribing prison regulations.

C. B. 96.—An act for the relief of John Saltar.

C. B. 68.—Entitled an act in relation to streets and alleys in incorporated towns.

C. B. 100.—An act to provide for the appointment of Immigration Agents.

C. B. 76.—An act to enable certain counties to borrow money.

C. B. 103.—Relative to receiving bids for the purchase of safes.

Herewith transmitted for your signature.

R. G. O'BRIEN,
Chief Clerk.

Mr. Reed, from committee on Counties, reported:

MR. PRESIDENT—

Your committee on Counties, to whom was referred:

H. B. 149.—An act to repeal an act entitled an act to disincorporate the city of Kalama.

Have had the same under consideration and report it back with recommendation that the same do not pass.

C. A. REED,
Chairman.

Mr. Hoover, from committee on Ways and Means, reported upon,

H. B. 145.—An act to provide for the payment of Storage and Transportation of arms.

Amend by striking out $250, in Section 1, of the bill and inserting $100.

J. HOOVER,
Chairman.

On motion of Mr. Hanford,

The vote by which the Council refused to recede from its amendment to,

H. B. 30.—An act for the relief of Tacoma Lodge, I. O. G. T.

Was reconsidered, and the President appointed Messrs. Ferguson and Reed, as committee of Conference on part of Council.

Mr. Hanford, from committee on Judiciary, reported:

MR. PRESIDENT—

Your committee on Judiciary, to whom was referred:

H. B. 53.—An act to create and confer jurisdiction upon the District Court of Whatcom county.

Have considered the same and report it back without recommendation, also,

C. B. 21.—An act to amend an act defining the jurisdiction and practice in the Probate Courts of Washington Territory.

C. B. 23.—An Act in relation to the records of Probate Courts.

C. B. 29.—An act in relation to Justices of the Peace, and to their practice and jurisdiction.

C. B. 51.—An act relative to Crimes and Punishments and proceedings in Criminal Cases.

H. B. 44.—An act relating to Justices of the Peace and their practice and jurisdiction,

And report the same back with recommendation that they do not pass.

C. H. HANFORD,
Chairman.

H. B. 136.—An act re-imbursing the Regents of the Territorial University, for expenses incurred in attending meetings of the Board.

Was read three times and lost.

Ayes—Messrs. Hoover and Ping.—2.

Noes—Messrs. Ferguson, Hanford, Hathaway, Kuhn, Reed, Stewart and Mr. President.—7.

The bill was declared to be lost.

H. B. 137.—An act providing a compensation for Regents of the Territorial University.

Was read twice, and

On motion of Mr. Kuhn, amended so as to allow only necessary travelling expenses, the bill was then read third time and passed by the following vote:

Ayes—Messrs. Ferguson, Hanford, Hathaway, Kuhn, Ping, Reed and Mr. President.—7.

Noes—Messrs. Hoover and Stewart.—2.

Title read and amended.

H. B. 138.—An act relating to the improvement of tide lands.

Was taken from the House message, read three times under suspension of the rules, and passed by the following vote:

Ayes—Messrs. Ferguson, Hanford, Hathaway, Hoover, Kuhn, Ping, Reed and Stewart.—8.

Title read and approved.

Mr. Ferguson in the chair.

Substitute for

H. B. 140.—An act to provide and pay for the printing and distribution of certain laws.

Was read three times under suspension of rules and passed by the following vote:

Ayes—Messrs. Ferguson, Hanford, Hathaway, Hoover, Kuhn, Ping, and Stewart.—6.

The title of the bill was read and approved.

H. B. 143.—An act in relation to deer in Island county.

Was read three times, under suspension of rules and passed:

Ayes—Messrs. Ferguson, Hanford, Hathaway, Hoover, Kuhn, Ping, Reed and Mr. President.—8.

Title read and approved.

H. B. 151.—An act to regulate the time and manner of transferring Territorial Funds from County to Territorial Treasurer.

Was read three times under suspension of rules and passed:

Ayes—Messrs. Ferguson, Hanford, Hathaway, Hoover, Kuhn, Ping, Stewart and Mr. President.—8.

The title of the bill was read and approved.

H. B. 154.—An act to amend an act in relation to Mortgages on Personal property, approved Nov. 12, 1875.

Was read three times under suspension of rules and passed:

Ayes—Messrs. Ferguson, Hanford, Hoover, Kuhn, Ping, Reed, Stewart and Mr. President.—8.

H. B. 168.—Substitute for

C. B. 14.—An act to relating to Deeds,

Was read three times under suspension of rules and passed:

Ayes—Messrs. Ferguson, Hathaway, Kuhn, Ping, Reed, Stewart and Mr. President.—7.

Title read and approved

H. B. 124.—An act for the relief of Henry L. Chapman and others.

Was taken from the report of committee on Ways and Means, and

On motion of Mr. Kuhn,

Amended by striking out the name of J. R. Wheat, wherever it occurs in the bill, the ayes and noes were called:

Ayes—Messrs. Kuhn, Ping, Reed and Stewart.—4.

Noes—Messrs. Hanford and Hoover.—2.

Paired—Messrs. Ferguson and Mr. President.—2.

On motion of Mr. Reed,

The vote by which the name of J. R. Wheat, was stricken from the bill was reconsidered.

The motion of Mr. Hoover, to lay the bill on the table then prevailed and the bill was made subject to call.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
November 9, 1877.

MR. PRESIDENT—

I am instructed by the House to inform the Council that the House has passed the following bills:

C. B. 31.—An act to provide for the codification of the Laws of Washington Territory.

C. B. 11.—An Act to provide for the incorporation of Cities.

C. B. 102.—An act for relief of Hall's Safe and Lock Company.

H. B. 116.—An act relating to surveyors of saw logs, in the counties of Thurston, Pierce, King, Kitsap, Mason, Snohomish, Island, Whatcom, Jefferson, San Juan and Clallam.

C. B. 104.—An act to aid in the construction of a railroad from the city of Seattle, through the cities of Walla Walla and Dayton, to Colfax,

C. B. 10.—An act for the protection of Salmon in the waters of Puget Sound and its tributaries,

H. B. 120.—An act to authorize the commissioners of Clarke county to levy a special tax for school purposes.

C. B. 89.—An act to amend an act entitled an act to fix the time of holding terms of the District and Supreme Courts.

And that the House has passed.

C. B. 101.—An act in relation to Roads and Highways in the counties of Jefferson, King and Pierce.

With amendment and request that the Council concur.

R. G. O'BRIEN,
Chief Clerk.

MESSAGE FROM THE GOVERNOR.

TERRITORY OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, November 9th, 1877.

To the Honorable Council of the Territory of Washington:

I have the honor to inform you that I have approved and signed the following:

An act to regulate the practice and proceedings in civil actions.

An act relating to Liens.

An act in relation to streets and alleys in unincorporated towns.

An act for the relief of J. R. Thompson, D. N. Utter and A. Atwood.

An act to protect persons selling spirituous, malt, or fermented liquors from misrepresentations of minors as to age.

An act to amend an act entitled an act in relation to Roads, Bridges, Ferries, and travel on public highways, approved Nov. 29, 1871.

An act for the protection of Quail, commonly called "Bob Whites."

An act for the relief of J. C. Horr and others.

An act to legalize and make valid the location of county roads.

An act defining the boundaries of the city of Vancouver.

An act authorizing the counties of Pacific and Chehalis to appropriate money for the purpose of building bridges and public highways.

An act to authorize the Board of Health for the district of Puget Sound to purchase a suitable site for a Pest-house.

An act to enable counties to borrow money.

An act declaring roads, streets and alleys in towns and cities, public highways.

An act to provide for the appointment of Immigration Agents.

An act for the relief of John Saltar.

An act prescribing prison regulations.

E. P. FERRY,
Governor.

On motion of Mr. Hoover,

The Council concurred in amendments to:

C. B. 101.—An act in relation to roads and highways, in the counties of Jefferson, King and Pierce.

H. B. 149.—An act to disincorporate the city of Kalama,

Was then taken from report of committee on Counties, read third time and passed:

Ayes—Messrs. Hoover, Kuhn, Ping, Stewart and Mr. President.—5.

Noes—Messrs. Ferguson, Hanford and Reed.—3.

Title approved.

H. B. 125.—An act to provide for the storage and transportation of arms.

Was read, and

On motion of Mr. Hoover,

Was laid on the table.

H. B. 53.—An act to create and confer jurisdiction upon the district court of Whatcom county,

Was read third time and passed by the following vote:

Ayes—Messrs. Ferguson, Hanford, Hathaway, Ping and Mr. President.—5.

Noes—Messrs. Hoover, Kuhn and Stewart.—3.

H. B. 145.—An act defining boundary lines of Mason county,

Was read twice, and

On motion of Mr. Kuhn,

The bill was referred to a Select committee, consisting of Messrs. Hoover and Kuhn.

Mr. Hanford moved that Council bills 21, 23, 29 and 51, and House bill 44, had already become absorbed and embodied in other acts and therefore be indefinitely postponed.

The motion prevailed and it was so ordered.

C. B. 20.—An act to repeal an act entitled an act in relation to Probate Judges,

Was taken from the table:

Ayes—Messrs. Ferguson, Hanford, Hathaway, Ping, Reed, Stewart and Mr. President.—7.

Excused—Messrs. Hoover and Kuhn.—2.

Title read and approved.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
November 9, 1877.

MR. PRESIDENT—

I am instructed by the House to inform the Council, that the Speaker has signed:

C. B. 70.—An act for the relief of William Billings.

C. B. 57.—An act to provide for calling a convention for a State of Washington, and submitting the same to the people for ratification or rejection.

C. B. 87.—An act to repeal certain sections of acts, and relating to the incorporation of Port Townsend, Jefferson county, Washington Territory.

C. B. 52.—An act to amend an act entitled an act relating to Justices of the Peace and defining their practice and jurisdiction, approved Nov. 13, 1873.

C. B. 60.—An act to amend the Charter of the city of Seattle,

C. B. 59.—An act to provide for the protection of game.

C. B. 66.—An act to provide for raising revenue for road purposes in Columbia and Walla Walla counties.

H. B. 41.—An act to amend an act entitled an act for the election of County Commissioners, and defining their duties, approved Dec. 1, 1869.

C. B. 73.—An act to locate a Territorial Road from Willapa to Chehalis.

C. B. 72.—An act for the relief of J. P. Judson.

C. B. 79.—An act in relation to Territorial University.

C. M. 8.—In regard to School Lands in Washington Territory.

H. B. 57.—An act to provide for a System of Common Schools,

Herewith transmitted for your signature, and that the House has passed,

H. B. 101.—An act to authorize the Territorial auditor to contract for the printing and binding of the Biennial reports of the Territorial Treasurer and Auditor, and Trustees of the Hospital for the Insane.

H. B. 142.—An act to legalize and make valid the location of county roads.

C. B. 38.—An act concerning the collection of poll tax.

C. B. 86.—An act to provide for printing certain pamphlets.

And the same are herewith transmitted.

R. G. O'BRIEN,
Chief Clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
November 9, 1877.

MR. PRESIDENT—

I am instructed by the House to inform the Council that the House has adopted the report of the conference committee upon,

H. B. 128.—An act to regulate the government of the Hospital for the Insane.

And have concurred in the amendment, striking out the words "be a married man and with his family" and ask the Council to recede from the other amendments, and the bill is herewith returned.

Also of the passage of

C. B. 74.—An act to amend an act relating to crimes and punishments and proceedings in criminal cases,

And that the House has amended:

C. B. 37.—An act to amend an act defining the practice and jurisdiction of the Probate Courts of Washington Territory, approved Nov. 11, 1873.

And ask concurrence in the amendments, and of the passage of:

H. B. 145.—An act defining the boundary line of Mason county.

Herewith transmitted for your consideration.

R. G. O'BRIEN,
Chief Clerk.

On motion of Mr. Hoover,

The Council took recess till 7½ P. M.

EVENING SESSION.

The Council met at 8 P. M., the President in the chair, and a quorum present.

Mr. Hoover, from Select committee on,

H. B. 145.—An act defining boundary lines between Mason and adjacent counties,

Reported back recommending its passage as amended by the committee.

H. B. 145.—An act defining the boundary lines of Mason county.

Was then read twice and passed by the following vote:

Ayes—Messrs. Ferguson, Hanford, Hathaway, Hoover, Kuhn, Ping, Reed and Mr. President.—8.

Title read and approved.

Mr. Reed, from committee of Conference, upon,

H. B. 54.—An act to enable the Territorial Auditor to make Just and Equitable settlements between the Territory and the several counties therein,

Have conferred with House committee and agreed that the House concur in the Council amendments.

E. C. FERGUSON,

C. A. REED,

Committee on part of the Council.

H. B. 10.—An act to provide for assessing and collecting County and Territorial revenue, approved Nov. 12, 1875.

Was read third time,

Mr. Hathaway moved a call of the Council, and the roll was called by the Clerk,

Present—Messrs. Ferguson, Hanford, Hathaway, Hoover, Kuhn, Ping, Reed and Mr. President.—8.

Absent—Mr. Stewart.—1.

The Sergeant-at-Arms being sent in search of the absentee,

On motion of Mr. Ferguson,

Further proceedings under the call were dispensed with.

Mr. Hanford, from committee on enrolled bills, reported as correctly enrolled,

C. B. 11.—An act concerning incorporation of cities.

C. B. 102.—An act for the relief of Hall's Safe and Lock Company.

C. B. 89.—An act fixing times of holding district and Supreme courts.

C. B. 31.—An act providing for codification of the laws.

C. B. 37.—An act amending the act in relation to Probate Courts.

C. B. 101.—An act in relation to roads in Jefferson county.

C. B. 38.—An act concerning the collection of poll taxes.

C. B. 86.—An act to provide for printing certain pamphlets.

C. B. 53.—An act providing for publication and distribution of Supreme Court reports.

C. B. 104.—An act to aid the construction of the Seattle and Walla Walla railroad.

C. B. 74.—Amending the Criminal Practice Act.

C. B. 64.—Incorporating the town of Olympia.

And ready for the signature of the Speaker of the House.

C. B. 58—An act to regulate fees and costs,

Was read third time and put upon its passage:

(Here the Sergeant-at-Arms returned with Mr. Stewart.)

Ayes—Messrs. Ferguson, Hanford, Hoover, Kuhn, Ping, Reed and Mr. President.—7.

Noes—Messrs. Hathaway and Stewart.—2.

Title approved.

MESSAGE FROM THE GOVERNOR.

TERRITORY OF WASHINGTON, EXECUTIVE DEPARTMENT.
OLYMPIA, *Nov.* 9, 1877.

To the Honorable Council of the Territory of Washington:

I have the honor to inform you that I have approved and signed the following:

An act to repeal certain Sections of acts and certain acts, relating to the incorporation of the city or town of Port Townsend, Jefferson county, W. T.

An act to regulate the raising, for road purposes, of revenue, in Columbia and Walla Walla counties.

An act to amend the charter of the city of Seattle.

An act to amend an act entitled an act to provide for the protection of game, approved Nov. 12, 1875.

An act to amend an act entitled an act, relating to Justices of the Peace, and to their practice and jurisdiction, approved Nov. 13, 1873.

An act to provide for calling a convention to frame a constitution for a State of Washington, and submitting the same to the people for ratification or rejection.

An act to provide for the location of a Territorial road from Willapa river to Chehalis Station, and to appropriate money to aid in constructing said road.

An act to appropriate money for the University of Washington Territory and to provide for free scholarships in said University.

An act for the relief of John P. Judson.

E. P. FERRY,
Governor.

H. M. 13.—Memorial asking an appropriation to build a fog whistle on Point Wilson.

Was read third time and passed, under suspension of rules:

Ayes—Messrs. Ferguson, Hanford, Hathaway, Hoover, Kuhn, Ping, Reed, Stewart and Mr. President.—9.

Title read and approved.

H. M. 14.—Relative to certain lands in Washington Territory.

Was read three times and passed:

Ayes—Messrs. Hathaway, Hoover, Ping, Reed, Stewart and Mr. President.—6.

H. M. 18.—Praying for a harbor of refuge, on the Northwest coast.

Was read three times and passed:

Ayes—Messrs. Ferguson, Hanford, Hathaway, Hoover, Ping, Reed, Stewart and Mr. President.—8.

Title read and approved.

H. M. 15.—Asking for a Geological Survey of Washington Territory.

Was read three times and passed:

Ayes—Messrs. Hathaway, Hoover, Ping, Reed, Hanford, Kuhn, Reed, Ferguson and President.—9.

H. M. 17.—Relative to carrying the U. S. Mails from Port Townsend to Port Angelos, by land.

Was read third time and passed:

Ayes—Messrs. Ferguson, Hanford, Hathaway, Hoover, Kuhn, Ping, Reed, Stewart and Mr. President.—9.

H. M. 20.—Relative to the Indians East of the Cascade Mountains.

Was read third time and passed by the following vote:

Ayes—Messrs. Ferguson, Hanford, Hathaway, Hoover, Kuhn, Ping, Reed and Mr. President.—8.

H. J. R. 16.—Relative to the death of Senator Oliver P. Morton.

Was read three times under suspension of rules and passed:

Ayes—Messrs. Ferguson, Hanford, Hathaway, Hoover, Kuhn, Ping, Reed, Stewart and Mr. President.—9.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
November 9, 1877.

MR. PRESIDENT—

I am instructed by the House to inform the Council, that the House has passed with amendments:

C. B. 32.—An act to provide for the assessing and collecting County and Territorial Revenue.

And request that the Council concur in the amendment.

Also that the House has passed:

C. B. 20.—An act to repeal an act entitled an act in relation to Probate Judges.

Also that the Speaker has signed the following:

Sub. for H. B. 149.—An act to disincorporate the city of Kalama.

H. B. 90.—An act defining the boundary between the county of Island and the counties of San Juan, Whatcom and Snohomish.

H. B. 137.—An act to provide for Expenses of Regents of the Territorial University.

Sub. for H. B. 158.—An act to amend an act creating a Board of Pilot Commissioners and Pilots on the Columbia river and bar, approved Nov. 29, 1871.

Sub. for H. B. 65.—An act for the protection of deer in the counties of Jefferson and Clallam in Washington Territory.

H. B. 166.—An act for the relief of the Clerks of the present Legislative Assembly.

H. B. 146.—An act authorizing the construction of a wharf, to deep water, in the town of Olympia, W. T.

H. B. 133.—An act relative to Hogs in Snohomish county, and in certain Townships in Klickitat county.

H. B. 143.—An act in relation to deer in Island county.

H. B. 30.—An act for the relief of Tacoma Lodge, No. 4, I. O. G. T.

H. B. 53.—An act to create and confer jurisdiction upon the District Court of Whatcom county.

And that the House has passed,

H. B. 130.—An act to regulate the practice of Medicine and Surgery.

Also that the Speaker has signed,

C. B. 37.—An Act to amend an act entitled an act defining the jurisdiction and practice in the Probate courts of Washington Territory, approved Nov. 11, 1873.

C. B. 53.—An act to provide for the purchase of the reports of the decisions of the Supreme Court of Washington Territory and respecting the custody and distribution of the same.

C. B. 102.—An act for relief of Hall's Safe and Lock Company.

C. B. 89.—An act to amend an act entitled an act to fix the time of holding terms of the District and Supreme Courts.

C. B. 74.—An act to amend an act entitled an act relating to crimes and punishments and proceedings in criminal cases.

C. B. 64.—An act to Incorporate the town of Olympia,

C. B. 104.—An act to aid in the construction of a railroad from the city of Seattle, through the cities of Walla Walla and Dayton, to Colfax,

C. B. 11.—An Act to provide for the incorporation of Cities.

C. B. 38.—An act concerning the collection of Poll taxes.

C. B. 86.—An act to provide for the printing of certain pamphlets.

C. B. 101.—An act in relation to Roads and Highways in the counties of Jefferson, King and Pierce.

H. B. 134.—An act to provide for the training of Indigent Mute and Blind children.

C. B. 14.—An act to relating to Deeds,

H. B. 147.—An act authorizing the Territorial Treasurer to refund certain moneys.

H. B. 167.—An act in relation to delinquent road tax in Yakima county.

H. B. 154.—An act to amend an act in relation to Mortgages on Personal property, approved Nov. 12, 1875.

Sub. for H. B. 128.—An act to regulate the government of the Hospital for the Insane.

R. G. O'BRIEN,
Chief Clerk.

C. B. 32.—An act to provide for the assessing and collecting of County and Territorial Revenue.

Was taken up, the house having refused to recede,

Mr. Hanford moved the appointment of a committee of Conference.

Motion carried.

The President appointed as such committee, Messrs. Hanford and Hoover.

H. B. 124.—An act for the relief of H. L. Chapman, and others.

Was taken from the table, and the vote reconsidered by which the section relating to John R. Wheat was stricken out.

The question recurring upon the adoption of the amendment, it was lost.

The bill was then read a third time and passed by the following vote:

Ayes—Messrs. Ferguson, Hanford, Hathaway, Hoover, Ping, Reed, Stewart and Mr. President.—8.

Title read and approved.

H. B. 130.—An act relating to the practice of Medicine and Surgery,

Was read twice and laid on the table.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
November 9, 1877.

MR. PRESIDENT—

I am instructed by the House to inform the Council that the Speaker has signed:

H. B. 145.—An act defining the boundary lines of Mason county.

H. B. 54.—An act to enable the Territorial Auditor to make just and equitable settlements between the Territory and the several counties therein.

H. B. 42.—An act to repeal an act to regulate the running at large of Sheep in San Juan county.

And the same are herewith transmitted for your signature, and that the House has received the report of the committee of conference upon,

C. B. 32.—An act to provide for the assessing and collecting of County and Territorial revenue.

And ask that the appointment of another committee of Conference to consist of five on the part of the House and three on the part of the Council, and announces as committee on part of the House, Messrs. Horr, McReavy, Barnes, Foster and Ward.

Also that the House has passed,

H. J. R. 17.—Recommending the purchase of Musser's Tax Book Attachment by counties.

And herewith transmitted for your consideration.

R. G. O'BRIEN,
Chief Clerk.

Mr. Hanford submitted the following report:

MR. PRESIDENT—

Your committee on conference to whom was referred,

C. B. 32.—An act for the collection of Territorial and county revenue,

Report that your committee were unable to agree, the vote being in favor of the Council concurring in all the House amendments, except the striking out the word "Treasurer" and inserting "Sheriff," wherever it occurs in the bill, and that the House recedes from said amendment 3, and against said proposition two (2).

C. H. HANFORD,
Chairman on part of Council.

Mr Hanford, from committee on Enrolled Bills, reported:

MR. PRESIDENT—

Your committee on Enrolled Bills, respectfully report that the following named persons have been employed as additional Enrolling Clerks, under direction of your committee during the present session of the Legislative Assembly, pursuant to the act passed at the present session entitled "An act to provide for additional Enrolling Clerks for the 6th Biennial Session of the Legislative Assembly of Washington Territory, viz: Miss Helen F. Parker, Mrs. M. Merry, W. H. White, Mrs. M. Hastings and W. R. Ballard, and that there is due to such persons for their services, the following sums, to wit:

Miss Helen F. Parker	$ 5 00
Mrs. M. Merry	6 00
W. H. White	7 00
W. R. Ballard	12 00
Mrs. M. Hastings	20 00

C. H. HANFORD,
Chairman.

H. J. R. 17.—Relative to the purchase of Musser's Tax Book Attachment by counties.

Was read three times and passed by the following vote:

Ayes—Messrs. Hanford, Kuhn, Reed and Mr. President.—4.

Noes—Mr. Stewart.—1.

H. B. 131.—An act in relation to roads and bridges in Klickitat county.

Was read third time and passed by the following vote:

Ayes—Messrs. Hanford, Hathaway, Ping, Reed, Stewart and Mr. President.—6.

Noes—Mr. Kuhn.—1.

Title read and approved.

Mr. Ferguson, from the second committee of conference on C. B. 32.—(The Revenue bill.)

Reported that the committee had agreed to let the word "Treasurer" remain in the bill, and that the Council do concur in all the other House amendments.

Adopted.

Mr. Hanford offered the following resolution:

Resolved, By the Council that the committee on printing be and they are hereby instructed to cause one hundred and fifty copies of the reports of the Superintendent of the Hospital for the Insane of Washington Territory to be printed, and that one copy of the same be sent to each physician in the Territory, and the remainder be kept for distribution and exchange by the Superintendent.

The resolution was adopted.

H. B. 125.—An act to provide payment for the transportation and storage of certain arms,

Was read third time and passed:

Ayes—Messrs. Ferguson, Hanford, Hathaway, Hoover, Kuhn, Ping, Reed and Stewart.—8.

Title approved.

On motion of Mr. Ferguson,

The Council concurred in the House amendment to,

C. B. 32.—An act to provide for assessing and collecting revenue,

Mr. Hanford then reported,

MR. PRESIDENT—

Your committee on Enrolled Bills to whom was referred,

C. B. 32.—An act to provide for assessing and collecting revenue.

Has been correctly enrolled

Mr. Hanford also reported as correctly enrolled,

C. B. 10.—An act for the protection of salmon in Puget Sound and its tributaries.

C. B. 20.—An act to repeal an act in relation to the duties of Probate Judges.

C. H. HANFORD,
Chairman.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
November 9, 1877.

MR. PRESIDENT—

I am instructed by the House to inform the Council that the Speaker has signed:

H. M. 17.—Relative to carrying the U. S mails from Port Townsend to Port Angeles by land.

H. M. 13.—Asking for an appropriation to build a fog-whistle on Point Wilson.

H. M. 20.—In relation to Indians east of the Cascades.

C. B. 20.—An act to repeal an act in relation to the duties of Probate Judges.

C. B. 10.—An act for the protection of the Salmon Fisheries of Puget Sound and its tributaries,

And herewith transmit for your signature,

And that the House has receded from that portion of their amendments to,

C. B. 32.—An act to provide for assessing and collecting County and Territorial revenue,

Relative to inserting the word "Sheriff," in place of the word "Treasurer," wherever it occurs in the bill,

Also that the Speaker has signed:

H. J. R. 16.—Relative to the death of Senator Oliver P. Morton.

H. M. 18.—Praying for a harbor of refuge on the Northwest coast.

H. M. 15.—Praying for a Geological Survey of Washington Territory.

And herewith transmit them for your signature.

Also that the Speaker has signed,

H. B. 114.—An act to locate the county seat of Klickitat county.

H. B. 17.—An act for the relief of J. C. Kelly, Thomas Dealey, and Fitzpatrick.

H. B. 138.—An act relating to the improvement of Tide lands.

H. B. 140.—An act to provide and pay for the printing and distribution of certain laws.

H. B. 151.—An act to regulate the time and manner of transferring Territorial Funds from County to Territorial Treasurer.

H. B. 124.—An act for the relief of Henry L. Chapman and others.

H. M. 14.—In relation to certain lands in Washington Territory.

C. B. 32.—An act to provide for the assessing and collecting County and Territorial Revenue.

And of the passage of,

H. B. 172.—An act to provide for the payment of a telegram to the President.

Also that the House has concurred in the Council amendment to,

H. B. 125.—An act to provide for the payment of storage and transportation of certain Arms.

And that the Speaker has signed,

H. B. 131.—An act in relation to Roads and Bridges in Klickitat County.

H. J. R. 17.—Recommending the purchase of Musser's Tax Book Attachment by the several counties.

And the same are herewith transmitted.

R. G. O'BRIEN,
Chief Clerk.

H. B. 172.—An act to appropriate money for the payment of a telegram to the President.

Was read three times and passed by the following vote:

Ayes—Messrs. Ferguson, Hathaway, Hoover, Kuhn, Ping, Reed, Stewart and Mr. President.—8.

Title read and approved.

Mr. Ferguson offered the following resolution:

Resolved, By the Council that a vote of thanks be extended to the President of the Council for his energetic actions and impartial decisions during the present session of the Legislature, and that the Officers of the Council are entitled to the thanks of the members of this Council for their kindness and also for the manner in which they have discharged their duties.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
November 9, 1877.

MR. PRESIDENT—

I am instructed by the House to inform the Council that the Speaker has signed:

H. B. 125.—An act to provide for the payment for storage and transportation of certain arms.

H. B. 172.—An act to provide for the payment of a telegram to the President.

R. G. O'BRIEN,
Chief Clerk.

MESSAGE FROM THE GOVERNOR.

TERRITORY OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, November 9th, 1877.

To the Honorable Council of the Territory of Washington:

I have the honor to inform you that I have this day signed and approved the following:

An act to repeal an act in relation to Probate Judges, approved November 12, 1875.

An act to provide for the protection of the Salmon Fisheries of Puget Sound and tributary waters.

An act to provide for the assessing and collecting of county and Territorial Revenue.

E. P. FERRY,
Governor.

Mr. N. S. Porter, Executive Clerk and Private Secretary to the Governor, now stepped within the bar and handed in the Biennial appointments made by the Governor, subject to confirmation by the Council.

On motion of Mr. Kuhn,

The Council went into Executive Session.

The Clerk then opened and read the following:

MESSAGE EROM THE GOVERNOR.

TERRITORY OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, *November* 9th, 1877.

To the Honorable, the Council of the Territory of Washington:

I have nominated T. J. Anders, of Walla Walla, to be Territorial Superintendent of Public Instruction.

Albert T. Stream, of Pacific county, to be Fish Commissioner.

L. B. Hastings, C. E. P. Wood and C. Eisenbies, to be a Board of Health.

H. E. Morgan, J. H. Swift, and C. C. Bartlett, to be Pilot Commissioners for Puget Sound District.

J. B. Knapp, J. L. Stout and H. C. Comegys, to be Pilot Commissioners for the Columbia River and Bar.

Mrs. A. H. H. Stuart, G. O. Haller and O. P. Lacy, to be Immigration Commissioners.

C. H. Larrabee, A. H. Steele, G. V. Calhoun, D. Bagley and John Rea, to be Regents of the University of the Territory of Washington.

T. I. McKenny, Geo. B. Kandle and C. H. Whitney, to be Trustees for the Hospital for the Insane, of the Territory of Washington.

S. M. Waite, Ruth E. Rounds and Thomas Burke, to be a Territorial Board of Education.

Henry G. Struve, to be Code Commissioner,

And respectfully request your honorable body to consent to their appointment.

E. P. FERRY,
Governor.

All the foregoing nominations were considered in turn and all confirmed but G. O. Haller, for Immigration Commissioner, and C. H. Whitney, for Trustee of the Hospital for the Insane.

The Clerk was ordered to wait upon the Governor and ask him to supply the vacancies.

The following message was then read.

TERRITORY OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, *November* 9th, 1877.

To the honorable, the Council of the Territory of Washington:

I have nominated John W. Cochran, to be Official Short Hand Reporter, also

O. F. Gerrish, to be Immigration Commissioner, and

M. S. Booth, to be Trustee of the Hospital for the Insane.

And respectfully ask your honorable body to consent to the appointments.

E. P. FERRY,
Governor.

The appointments were confirmed.

On motion the vote by which John R. Wheat was confirmed on the 27th day of October, as Territorial Auditor, was reconsidered and the Clerk notified to wait upon the Governor and ask him to name a new candidate for the Auditorship.

MESSAGE FROM THE GOVERNOR.

TERRITORY OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, *November* 9th, 1877.

To the honorable, the Council of the Territory of Washington:

I have nominated Thomas M. Reed, for Territorial Auditor,

And ask your honorable body to consent to his appointment.

E. P. FERRY,
Governor.

The appointment was promptly confirmed.

On motion of Mr. Hoover,

The Council rose from Executive Session and went into open session.

The following message was received:

MESSAGE FROM THE GOVERNOR.

TERRITORY OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, *Nov.* 9, 1877.

To the Honorable Council of the Territory of Washington:

I have the honor to inform you that I have approved and signed the following bills:

An act to provide for the purchase of the reports of the decisions of the Supreme Court of Washington Territory and respecting the custody and distribution of the same.

An act to amend an act entitled an act relative to crimes and punishments and proceedings in criminal cases, approved Nov. 10, 1873.

An act to amend an act entitled an act to fix the time of holding the Supreme and District Courts, approved Nov. 5th, 1875.

An act concerning the collection of Poll tax.

An act relating to Deeds.

An act to provide for the Incorporation of Cities.

An act to Incorporate the town of Olympia.

An act for the relief of Hall's Safe and Lock Company.

An act to provide for the codification of the Laws of Washington Territory.

An act to provide for the printing of certain pamphlets.

An act in relation to Highways in Jefferson county.

An act to aid in the construction of a railroad from the city of Seattle, in King county, through the city of Walla Walla to the town of Dayton, in Columbia county, and to the town of Colfax, in Whitman county.

An act to amend an act entitled an act defining the jurisdiction and practice in the Probate Courts of Washington Territory.

E. P. FERRY,
Governor.

Mr. Hoover moved that a committee of two be appointed to wait upon the Governor and inquire if he had anything further to communicate to the Council.

The motion being carried, the President appointed Messrs. Hoover and Hanford.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
November 9, 1877.

MR. PRESIDENT—

I am instructed by the House to inform the Council that the House has adopted the following resolution:

Resolved, That the House having concluded the business for which they assembled, now inform the Council that they are ready to adjourn, *sine die*.

R. G. O'BRIEN,
Chief Clerk.

Mr. Hoover, from Select committee, appointed to wait upon the Governor, reported that his Excellency has no further business to communicate to either branch of the Legislative Assembly.

Mr. Ping moved to adjourn, and at 1:55 A. M., on Saturday, November 10th, the Council did adjourn *sine die*.

T. B. MERRY,
Chief Clerk.

Approved November 9, 1877,
T. M. REED,
President.